

TOWN OF BILLERICA

ANNUAL REPORT

FISCAL 2002



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COVER:

Kohlrausch Park

Pictures taken by: Billerica Recreation

JULY 1, 2001 –

JUNE 30, 2002

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TOWN OF BILERICA

ANNUAL REPORT

FISCAL 2002

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ANNU

Local History

2002



1997-2001
BILERICA, MA 01821

CLERK:
TOWN OF BILERICA
BILERICA, MA 01821

BILERICA TOWN CLERK

MEMORIALS - 2002

ELEANOR M. ALGER - Died: September 27, 2001
Clerk Typist (Various Depts: 1978 - 1993
Election Officer: 1978 - 1995

WILLIAM B. ALLEN - Died: December 19, 2001
School Crossing Guard: 1994 - 2001

ROGER BIAGIOTTI, JR. - Died: March 24, 2002
Billerica Police Department: 1949 - 1987
Billerica Highway Dept.: 1945 - 1987
Special Police Officer: 1987 - 1992
Town Meeting Member: 1967 - 1975; 1987 - 2001
Planning Board: 1968 - 1979
Permanent School Building Committee: 1968 - 1977
Permanent Street Accept. Committee: 1974
Personnel Board: 1974 - 1983
Town Charter Committee: 1985 - 1986
Finance Committee: 1986 - 2001
By-Law Review Committee: 1987 - 1989
Democratic Town Committee: 1968 - 1992

GORDON C. BRAINERD - Died: January 27, 2001
Planning Board: 1951 - 1967
Town Meeting Member: 1956 - 1998
Selectman: 1972 - 1988
Ambulance Study Committee: 1974 - 1975
Sign By-Law Committee: 1988
Fence Viewer: 1989
Ombudsman Committee: 1989 - 1997
Museum Committee: 1993 - 1997

VERONICA M. DAWSON - Died: August 27, 2001
Teacher: Talbot School: 1948 - 1978

ALICE F. DONOVAN - Died: September 21, 2001
Finance Committee Member: 1960 - 1963
Precinct Officer: 1980 - 1981

NOREEN DONOVAN - Died: December 26, 2001
Dutile School Teacher 1985 - 2002

MARGUERITE E. GILL - Died: September 22, 2001
Election Officer: 1976 - 1984

LESLIE A. GREENLEAF - Died: October 28, 2001
Election Officer: 1998 - 2001

PAUL JAMES GALLAGHER, JR. - Died: April 15, 2002
Billerica Police Dept. Paramedic: 1985 - 1997

MARGARET L. HASTINGS - Died: January 7, 2002

School Cafeteria Worker: 1970 - 1987

SIDNEY HORLINK - Died: September 28, 2001

Town Meeting Member: 1963 - 2001

Election Officer: 1996 - 2000

MAURICE J. HOULNE - Died: March 26, 2002

Town Meeting Member: 1956 - 1994

Associate Assessor: 1983 - 1993

LOIS HUMPHREYS - Died: August 8, 2001

Accountant Office Clerk: 1956 - 1974

DONNA J. HYMAN - Died: March 23, 2002

Ditson Teacher: 1991 - 2002

DR. ELIZABETH F. MCCARTHY - Died: September 20, 2001

Teacher & Dutile School Principal: 1965 - 1993

Town Meeting Member: 1956 - 1999

Housing Authority Member: 1973 - 2000

Municipal Building Use Study Committee: 1986 - 1988

Town By-Law Review Committee: 1992

Howe High School Study Committee: 1983 - 1984

School Building Study Committee: 1980 - 1982

Local Growth Policy Committee: 1976

GEORGINA A. MENEZES - Died: March 20, 2002

Substitute Election Precinct Officer

GERALDINE T. SANTOS - Died: June 23, 2002

School Dept. Clerk: 1981-1988

ADELINE TAYLOR - Died: June 12, 2002

Precinct Officer: 1976 - 1992

THEODORE TICHANUK - Died: June 18, 2002

School Custodian: 1975 - 1989

Raymond F. Trainor

Died: April 17, 2002

School Custodian: 1973 - 1991

DOROTHY E. TREMBLAY - Died: April 28, 2002

School Dept. Secretary: 1976 - 1980

RUSSELL YOUNG - Died: June 10, 2002

Selectman: 1965 - 1967

Finance Committee: 1960 - 1963

Town Meeting Member: 1967

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GENERAL INFORMATION

ADDRESS: 365 Boston Road
HOURS: 8:30 a.m. to 4:00 p.m.
AREA: 25.96 Square Miles
ALTITUDE: 375 Feet above Sea Level
INCORPORATED: May 1655
POPULATION: 38,981 (Federal Census)
COUNTY: Middlesex
DISTRICTS: Fifth Congressional, Sixth Councilor, Fourth Middlesex Senatorial, 22nd Middlesex Representative

U.S. Senator—Edward M. Kennedy (D)
Room 240, J.F.K. Federal Building
Boston, MA 02203

U.S. Senator—John Kerry (D)
Transportation Building
Room 3220, 10 Park Plaza
Boston, MA 02116

U.S. Representative—Martin T. Meehan (D)
320 Clark Road
Lowell, MA

State Senator—Robert A. Havern, III
Room 513 – State House
Boston, MA 02133

State Representative—William G. Greene, Jr.
Room 166 - State House
Boston, MA 02133

Councilor—Dorothy A. Kelly Gay (D)
1 Avon Street
Somerville, MA (Sixth Councilor)

QUALIFICATIONS FOR REGISTRATION AS A VOTER: ALL ELECTIONS: Every citizen eighteen years of age and upwards, who has resided within the Town one day may claim the right to vote.

ALL ELECTIONS: Eighteen (18) years of age

ABSENTEE VOTING: AT ALL ELECTIONS, Including primaries

REGISTRATION: Monday through Friday, 8:30 a.m. to 4:00 p.m., at the Office of the Board of Registrars. Special sessions held preceding elections.

ANNUAL ELECTION: First Saturday in April

ANNUAL APPROPRIATION MEETING:
First Tuesday in May (Spring)
First Tuesday in October (Fall)

BOARD OF APPEALS: 1st and 3rd Wednesday

BOARD OF HEALTH: 1st Monday each month

BOARD OF SELECTMEN: 1st and 3rd Monday

PLANNING BOARD: 2nd and 4th Monday

SCHOOL COMMITTEE: 2nd and 4th Monday

BOARD OF HEALTH: Household holders shall report to the Board of Health all cases of communicable disease unless a physician is in attendance. Subsurface sanitary disposal systems installation and repair must be inspected by the Health Department.

DOG LICENSES: All dog licenses expire December 31. A dog should be licensed when three (3) months old. **FEES:**

Male/Female \$10.00

Neutered Male/Spayed Female \$6.00

Spaying or Neutering Certificates must be shown for first license and a valid rabies certificate must be shown every year before license can be issued, unless you have left the rabies certificate on file in the Town Clerk's Office.

PENALTY FEE: Any dog three (3) months of age or older not licensed by MARCH 10 will have a \$10.00 late fine added to the license fee.

TAX RATE: For Fiscal Year 2002
\$12.43 per \$1,000 residential
\$26.67 per \$1,000 commercial/industrial

TOWN MEETING MEMBERS - 2002

PRECINCT 1

Term Expires 2004

Susan M. Aker
Richard N. Freedman
David A. Gagliardi
Helen G. Gentile
Rita I. McCarron
Robert C. Norman
Craig E. Rich
Gerald A. Young, Jr.

Term Expires 2003

Anthony Barbere
Roger Biagiotti, Jr.
Leslie C. Ferris
Ilana Freedman
George A. Merrill, Jr.
Donald J. Murphy
Joseph E. Silva
Ronald F. Turner

Term Expires 2002

Ronald A. Balboni
Joanne M. Gagliardi
John A. MacMillan
Sandra A. MacMillan
Marie Massey
Barbara G. Norman
Michael T. Revane
Lisa Moscone, Next on the Ballot

PRECINCT 2

Term Expires 2004

David Arsenault
John Ciancio, Jr.
Martin E. Conway
John A. Harlow
Michael J. Miller
Milton Saunders

Term Expires 2003

Edward A. Bunker
John Mark Johnson

Jeanne Legallo

Beverly A. Marck
Peter E. Marck
Philip J. Newfell

Term Expires 2002

Michelle J. Cedrone
Thomas H. Conway, Jr.
Heather Johnson-Arsenault
Bradford O'Neill
Helen L. Potter
Alan Ramos
Carol D. Wood
Sandra Giroux, Elected by Caucus
Edward J. Giroux, Elected by Caucus

PRECINCT 3

Term Expires 2004

William F. Loughlin
Scott H. Martin, resigned
Ralph Morrison
Helen B. Smith
Lois M. Smith, resigned
Robert F. Smith
Mary A. Petty

Term Expires 2003

Suzanne E. Doherty
John F. Gray, Jr.
Joseph L. Maniachi
Gilbert A. Moreira
Susan D. Moreira
Jay H. Thomas, III

Term Expires 2002

Stephen S. Battcock
Marie C. Loughlin
Lawrence R. Norman
Lee A. Scalzilli
Barbara J. Solomon
Albert L. St. George, III
Maryellen Yianacopolus
Domonic A. Tringale
Catherine Marshall, Elected by caucus

PRECINCT 4Term Expires 2004

Romolo Capobianco

Joanne M. Giovino

Steven A. Jenkins

Bessie G. Killeen

Anthony P. Tufts

Term Expires 2003

Darryl Allan

James A. Bradley

Stephen R. Dresser

Robert D. Killeen

Lorraine Lally

Joseph E. LeBlanc

Vincent D. MacDonald

Scott W. Winchell

Term Expires 2002

Judith A. Ciampa

Gilbert W. Griggs

Brian Luttrell

Kathryn M. Matos

Michael O'Brien

John J. Piscatelli

Sandra C. Sharpe

Richard B. White

Peter A. Annunziata, Elected by caucus

Marcelline P. Higgins, Elected by caucus

PRECINCT 5Term Expires 2004

Brion M. Cangiamila

Vincent J. Cangiamila

John D. McKenna

James F. O'Donnell, Jr.

Michael Ouellette

Lillie M. Ralston

Joel Williams

Stewart Wood

Term Expires 2003

Donald L. Fay

T. Josephine Leary

John W. Morris

Brenda J. O'Donnell

Kris Ripa

Madeline T. Sargent

Michael A. Tammaro, resigned

Term Expires 2002

Marie P. Blanchette

Kenneth L. Buffum

Salvatore A. Dampolo

Carol A. Ford

Mary A. Pasho

John Ripa

Michael S. Rosa

Anthony R. Shields

PRECINCT 6Term Expires 2004

Robert B. Accomando

Richard L. Annese

John T. Glavin, Jr.

Malcolm P. McDowell

John J. McKenna

Margaret M. Newhall

Debra E. Pasciuto

Term Expires 2003

Donna A. Amato

Dorothy M. Callihan

Cosmo D. Cavicchio, Jr.

Phyllis A. MacDonald

Edward R. McLaughlin

Salvatore Pasciuto, Jr.

John K. Saulnier

Erik P. Szymanski

Term Expires 2002

Donald F. MacDonald

Patricia McCaughey

Karen A. Miller

Robert E. Murphy

David Saviano

Rosemary E. Saviano

Doris E. Schultz

Donald P. Burlamacchi, Next Ballot

PRECINCT 7Term Expires 2004

Janice D. Busalacchi
Peter M. Coppinger
Daniel J. Doyle
Douglas W. Fogerty
James M. Mount, Jr.
William R. Sievert
Stephen K. Wetzel
Thomas W. Woodford

Term Expires 2003

Vincent A. Amato, Jr.
Diane J. DePaso
Raymond W. Fischer
Mary K. McBride
James M. McDonough
Ralph J. McKenna
James D. Mollison
Paul L. Overy
Jan Wetzel

Term Expires 2002

John E. Barlett
Robert M. Correnti
Elizabeth A. Gallagher
David R. Laskey
Marti Mahoney
Ralph T. McDonald, resigned
Gayle Razzaboni
Stephen L. Hart
Earl C. Leavitt, Next on ballot

PRECINCT 8

Term Expires 2004

Paul J. Coppinger
Sharyn R. Davis
Oren D. Hunt, Jr.
Susan M. Hunt
Charlene McCarthy
William T. Mernin
Ellen Day Rawlings
Peter Rawlings

Term Expires 2003

Jacqueline G. Gurney
Bernard F. Hoar
Anthony R. Iovanna

Paul McKenna
Barbara Morrissey
Daniel C. Rosa, Jr.

Term Expires 2002

John E. Coppinger
John Coyne
Barbara Davis
Francis "Fraz" Fraine
Helen R. Knight
John L. Noonan
Joseph P. Shaw
Joan C. Toscano, Elected by caucus

PRECINCT 9

Term Expires 2004

Anne Margaret Cole
Marc F. Lally
Diane L. Milano
Donald E. Wilson

Term Expires 2003

Patricia C. Flemming
John A. Griffin
Leslie A. Hannon
Elaine T. Horlink
Sidney Horlink, deceased
Nicholas J. Rosa
William Paskiewicz, Jr.

Term Expires 2002

Kevin J. Collins
James Patrick Lally
Rino Moriconi
John A. Mulloy
Dorothy L. Pearson
Francis A. Sarno
Charles L. Taylor, Jr.
Walter F. Chase, III, Elected by caucus
Cheryl L. Lally, Elected by caucus
Robert P. Melanson, Elected by caucus
Maryanne J. Perry, Elected by caucus
Walter R. Perry, Elected by caucus
Donald J. Ryan, Elected by caucus

PRECINCT 10Term Expires 2004

Andrew J. Bowen

Evelyn M Haines

Roger Adam Nowicki

Isabell M. Reardon

Term Expires 2003

Thomas P. Burns

Joseph L. Devlin

Arthur L. Doyle

Jerry A. Houghton

Edward J. Hurd

Barbara Hamilton Kearns

Kevin P. McGowan

Marie L. O'Rourke

Doris M. Pearson

Term Expires 2002

Christopher L. Blake

Raymond Cooke

William A. Cooke

James T. Dangora, Jr.

Peter D. Greeley

Charlene McGowan

Alfred R. Pearson, jr.

Nancy L. Smith

Beverly B. Chorbajian, Elected by caucus

James Foye, Elected by caucus

Joshua Gillis, Elected by caucus

Paul Matthews, Elected by caucus

ELECTED TOWN OFFICIALS - FY2002

SELECTMEN:

Ellen Day Rawlings

James F. O'Donnell, Jr., Chairman

Michael S. Rosa

Robert M. Correnti, Secretary

Francis "Fraz" Fraine, Vice-Chairman

Term Expires

April, 2004

April, 2003

April, 2004

April, 2005

April, 2005

MODERATOR

Maureen M. Sullivan

April, 2003

	<u>Term Expires</u>
TOWN CLERK Shirley E. Schult	April, 2005
SCHOOL COMMITTEE Thomas F. Galligani, Chairman Maureen E. Collins-Rea, Vice-Chairman Marie P. Blanchette Robert W. Keough, Secretary Jessica R. Diorio	April, 2005 April, 2004 April, 2004 April, 2003 April, 2005
PLANNING BOARD Donna L. Doucette Salvatore Pasciuto, Jr., Chairman Robert C. Norman, Vice-Chairman Paul Marasco John Saulnier Stephen L. Hart Richard Tortola	April, 2004 April, 2003 April, 2003 April, 2004 April, 2004 April, 2005 April, 2005
REG. VOCATIONAL SCHOOL DISTRICT COMMITTEE MEMBERS Kenneth L. Buffum Bernard F. Hoar	April, 2003 April, 2005
BILLERICA HOUSING AUTHORITY Helen G. Gentile Stewart Wood, Vice-Chairman Walter F. Coakley, Chairman William Flaherty, Treasurer Dorothy L. Pearson (Gov. Appt.) - Vice-Chairman	April, 2007 April, 2006 April, 2005 April, 2004 Aug. 26, 2001

APPOINTED TOWN OFFICIALS

TOWN MANAGER:	Richard Montuori - Town Manager, Eff. 8/8/98
ASST. TOWN MANAGER:	Evelyn M. Haines
TOWN ACCOUNTANT:	Paul Watson, Appt. 9/2000
TOWN COUNSEL:	Brackett, Lucas & Gannon, Counselors at Law (Gary Brackett) – Appt, 10/26/1999 June 30, 2002
ASST. TOWN CLERK:	Margaret Ryan April 6, 2002
TREASURER/TAX COLLECTOR:	David A. Genereux June 30, 2004

		<u>Term Expires</u>
ASSISTANT TREASURER:	Kelly Meehan Odams	June 30, 2004
ASSISTANT TAX COLLECTOR:	Shirley E. Bedrick	June 30, 2004
DEPUTY TAX COLLECTOR:	Edward Gass Michael Thomas Revane	Indefinite Indefinite
PRINCIPAL ASSESSOR:	Richard J. Scanlon	June 30, 2002
ASSOCIATE ASSESSORS:	Carol A. Gibson Bruce E. Richardson	June 30, 2002 June 30, 2004
BOARD OF HEALTH:	Arnold M. Ventresca, Vice-Chrm Bernard F. Hoar, Chairman Sandra (Burns) Giroux Marie O'Rourke, Secretary Robert G. Reader	June 30, 2004 June 30, 2003 June 30, 2002 June 30, 2004 June 30, 2003
DIRECTOR OF PUBLIC HEALTH: John W. Morris		
SPECIAL HEALTH AGENT (Issuing of Burial Permits) Frank Burns Dean Laurendeau William Laurendeau		
HEALTH INSPECTORS:	Richard Berube Gerard Noel – Appt. 9/4/01 Angela Braun – Eff. 7/10/01 John Bowen, Special Agent - Tobacco Control at Shawsheen Valley Tech. Timothy Considine - Health Agent Melissa Stockwell – Director of Tobacco Control	
CONSTABLES:	Albert R. Melaragni Kimberly Bower	June 30, 2003 June 30, 2003
VETERAN'S AGENT:	Kenneth L. Buffum	Indefinite
POLICE CHIEF:	Daniel C. Rosa, Jr., Appt. 12/3/01	
FIRE CHIEF:	Anthony E. Capaldo, Jr.	
SAFETY OFFICER:	Michael Tammaro	

		<u>Term Expires</u>
INSPECTOR OF BUILDINGS:	Milton H. Kinney, Jr. – Appt. 10/18/99	
PLUMBING INSPECTOR:	William T. Callahan, Appt. 10/31/94	
ELECTRICAL INSPECTOR:	Anthony Iovanna	
LOCAL INSPECTOR:	David Lenzie, Appt. 10/31/94 Mark E. Dupell, Resigned 5/18/01 Thomas Brooks – Eff. 8/6/01	
DIRECTOR OF PUBLIC WORKS:	John Sanchez, Director, Eff. 1/29/99	June 30, 2002
TOWN ENGINEER:	John Livsey, Eff. 3/30/99	
SUPERINTENDENT OF CEMETERIES/PARKS & TREES:	Charles Faria	
SUPERINTENDENT OF HIGHWAYS:	Stephen C. Robertson, Eff. 12/3/01	
SUPERINTENDENT OF SEWER:	Arthur Malcuit	
SUPERINTENDENT OF WATER:	John McGovern	
TREATMENT PLANT CHEMIST:	John Sullivan	
TOWN PLANNER:	Peter Kennedy	
SUPERINTENDENT OF SCHOOLS:	Dr. Robert Calabrese	
FAIR HOUSING DIRECTOR:	Evelyn M. Haines, Assistant Town Manager	
PROCUREMENT OFFICER:	Town Manager	
CIVIL DEFENSE DIRECTOR:	William J. Laurendeau	
FENCE VIEWER:	Malcolm P. McDowell	June 30, 2002
LOWELL REGIONAL TRANSPORTATION AUTHORITY:	Arthur L. Doyle	
DOG OFFICER & ANIMAL INSPECTOR:	Diane Allen Murphy – Eff. 10/15/01 Anthony D. Fontana – Asst Control Officer	

		<u>Term Expires</u>
MIDDLESEX CANAL COMMISSION:	Marion E. Potter, Comm.	June 30, 2003
	Andrew J. Bowen – Alternate	June 30, 2003
	Ilana Freedman – Associate	June 30, 2003
	John Reardon – Alternate	June 30, 2003
	Helen R. Knight – Alternate	June 30, 2003
	Alec Ingraham, Alternate	June 30, 2003
	Isabell Reardon, Alternate	June 30, 2003
	Donna Doucette – Alternate	June 30, 2003
DEPUTY DIRECTOR OF CIVIL DEFENSE:	Albert Donahue, Sr. Thomas Revane	
STATE FUNDED BIKEWAYS PROGRAM:	Board of Selectmen	
NORTHERN MIDDLESEX COUNCIL OF GOVERNMENTS:	Ellen Day Rawlings – Selectman Salvatore Pascuito, Jr. – Plan Bd.	June 30, 2002 June 30, 2002
SEALER OF WEIGHTS & MEASURES:	Joseph Shaw, Eff. 12/5/97	
BOARD OF REGISTRARS:	John G. Conway, Chairman Donald H. Lovegrove Patrick Trainor	March 31, 2003 March 31, 2004 March 31, 2005
LOCAL WATER RESOURCES MANAGEMENT OFFICIAL:	Peter Kennedy, Town Planner	
LOCAL AUCTION PERMIT AGENT:	Richard A. Montuori, Town Mgr.	Indefinite
KEEPER OF THE LOCKUP:	Paul W. Matthews	June 30, 2003
COMMUNITY TEAMWORK REPRESENTATIVE:	Thomas H. Conway, Jr.	June 30, 2002
TRI-TOWN COMMITTEE:	John R. Saulnier-Plan Bd James F. O'Donnell, Selectman	June 30, 2002 June 30, 2002

		<u>Term Expires</u>
SUASCO RIVER STEWARDSHIP COUNCIL:	Peter Kennedy, Town Planner	June 30, 2003

PUBLIC INFORMATION
OFFICER:

STATE MIDDLESEX CANAL COMMITTEE:	Donna Doucette	June 30, 2003
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ADEQUATE ACCESS BY-LAW REVIEW COMMITTEE

Salvatore Pascuito - Town Meeting Member	June 30, 2005
Stephen Wetzel - Town Meeting Member	June 30, 2005
Stephen Hart - Town Meeting Member	June 30, 2005
Mary McBride - Rules Committee Member	June 30, 2005
James Mollison - By-Law Review Committee Member	June 30, 2005
Neelam Wali - Chamber of Commerce Member	June 30, 2005
Neville Rivet - DPW Representative	June 30, 2005
Robert C. Norman - Planning Board Member	June 30, 2005
Robert M. Correnti - Selectmen Appointee	June 30, 2005

ARTS COUNCIL

Patricia Roy	June 30, 2001
Robert Hurley	June 30, 2002
Lillian Colby	June 30, 2001
Wilfred Colby	June 30, 2003
William Marshall	June 30, 2001
Robert P. Sgroi	June 30, 2003
Priscilla DiBona	June 30, 2003
Ilana Freedman	June 30, 2002
Jayne Glennon	June 30, 2002
Christina Ernst	June 30, 2002
Kathleen Paulsen	June 30, 2003
Sandra E. Davidson	June 30, 2003

BILLERICA RESIDENT'S EMPLOYMENT MONITORING COMMITTEE

Vacancy - DPW Appointee	June 30, 1998
Vacancy - Planning Board Appointee	June 30, 1996
Vacancy - Town Manager's Appointee	June 30, 1999
Vacancy - Moderator's Appointee	June 30, 1998
Vacancy - Selectmen's Appointee	June 30, 2001

Term Expires

BOARD OF APPEAL

Ellen Sargent	June 30, 2004
Patricia Flemming, Secretary	June 30, 2003
Doris M. Pearson, Chairman	June 30, 2002
Richard A. Colantuoni, Vice-Chairman	June 30, 2002
Joseph P. Shaw	June 30, 2003

ASSOCIATE MEMBERS:

Patricia Huntley	June 30, 2003
Michael J. Mulligan, Sr.	June 30, 2004

CEMETERY COMMISSION

Robert G. Reader, Chairman	June 30, 2003
Thomas H. Conway, Vice-Chairman	June 30, 2004
Ralph T. McDonald, Secretary	June 30, 2004

CIVIC AND CONVENTION CENTER COMMISSION

Vacancy	June 30, 2001
Vacancy	June 30, 2002
Vacancy	June 30, 2002
Vacancy	June 30, 2002
Vacancy	June 30, 2002

COMMERCIAL WIRELESS COMMUNICATION FACILITIES REVIEW

COMMITTEE

Anthony Barbere	June 30, 2002
Tricia Huntley, Chairman	June 30, 2002
Marc Lally	June 30, 2003
James Lally	June 30, 2003
Cheryl Lally	June 30, 2003
Richard N. Freedman	June 30, 2004
Frank Busalacchi	June 30, 2004
Robert M. Correnti	June 30, 2002

COMMITTEE ON RULES

<u>Precinct</u>	<u>Name</u>	<u>T.M.M Term Expires</u>	<u>Committee's Term Expires</u>
1	David Gagliardi	2005	2003
2	Philip J. Newfell	2003	2004
3	Marie Loughlin	2003	2005
4	Robert D. Killeen	2003	2003
5	Joel Williams	2003	2004
6	Dorothy M. Callihan	2005	2005
7	Mary K. McBride	2003	2003

			<u>Term Expires</u>
8	Oren D. Hunt, Jr.	2004	2004
9	James Patrick Lally	2004	2005
10	Roger A. Nowicki	2004	2003
11	Marie Massey	2004	2004

CONSERVATION COMMISSION

Joanne M. Giovino, Treasurer	June 30, 2003
Norman J. Beloin, Jr., Chairman	June 30, 2002
James D. Miller	June 30, 2003
Ilana Freedman, Appt. 7/00	June 30, 2003
Judith Amelotte	June 30, 2001
Diane J. DePaso	June 30, 2004
Thomas Woodford	June 30, 2002
Martine W. Houlne – Environmental Investigator	

CONSTABLES (BONDED) IN THE TOWN OF BILLERICA

Ronald E. Bertheim	June 30, 2003
Yvonne M. Rawson Bozek	June 30, 2003
John B. Bridges, Jr.	June 30, 2003
Ronald Canty	June 30, 2002
Richard M. Carter	June 30, 2002
Joseph Curran	June 30, 2002
Francis M. Fraine	June 30, 2004
Elaine T. Horlink	June 30, 2004
Cheryle A. Laffey	June 30, 2003
Walter J. McAvoy, Sr.	June 30, 2001
Peter D. McCarron	June 30, 2002
Harold F. Morang	June 30, 2003
Alexy Pena	June 30, 2003
Donald L. Stout	June 30, 2003
Henry E. Sullivan	June 30, 2003
William Titelbaum	June 30, 2002
William P. Whiteman, Jr.	June 30, 2003
Anthony J. Boss, III – <u>Civil Process ONLY</u>	June 30, 2004

COUNCIL FOR AGING

Billy E. Aldridge	June 30, 2002
Betty Anderson	June 30, 2003
Shirley Gullage	June 30, 2004
Dorothy A. Cox, Chairman	June 30, 2004
Gertrude Morin	June 30, 2003
Robert Hurley	June 30, 2002
Virginia Wrobel	June 30, 2003

Term Expires

ALTERNATES:

Carmela Grieco
Catherine A. Fleurant
Virginia Musker
Virginia O'Mahoney
Richard D. Swift
Anthony Tufts
Donald Wilson

EX-OFFICIO NON-VOTING MEMBERS: Golden Agers; Senior Citizens of Billerica; Greenwood Senior Citizens' Club; Carriage Club; Board of Health; Housing Authority Chairman; Veterans' Services Agent

CO-ORDINATOR FOR COUNCIL OF AGING:

Chester D. Sewell

D. A. R. E. ADVISORY COMMITTEE

The regular members shall be appointed as follows:

- (1) six members appointed by the Superintendent of Schools who are parents of elementary grade school children at the time of appointment.
- (2) six members appointed by the Town Manager, three (3) of which shall be members of Town Civic organizations and three (3) of which shall be residents of or businessmen in the Town.

The D.A.R.E. Officer shall be the ex-officio voting member. Alternate members to be appointed by majority vote of the Committee.

TOWN MANAGER APPOINTEES:

Maureen Dunton, Chairman	June 30, 2002
Donna L. Doucette	June 30, 2002
Marie P. Blanchette, Vice-Chairman	June 30, 2002
Larry Libby	June 30, 2002

SCHOOL SUPERINTENDENT APPOINTEES:

Vacancy	June 30, 2001
Cheryl Bennett	June 30, 2004
Sandra Doherty	June 30, 2001
Leslie Hannon, Secretary	June 30, 2001
Nancy Burns	June 30, 2004
Andrea Ostar	June 30, 2001

ALTERNATES:

Patty Mahoney, Kerri Kelly, Jack Waters

Term Expires

D.A.R.E. Officer: John Mullin
Cathy Coneeny, Assistant
Juvenile Officer: Daniel Rosa

DEVELOPMENT & INDUSTRIAL COMMISSION

Vacancy	June 30, 2001
Vacancy	June 30, 2002
Vacancy	June 30, 2001
Vacancy	June 30, 2000
Vacancy	June 30, 2000
Vacancy	June 30, 2001
Vacancy	June 30, 2002

DITSON NEIGHBORHOOD COMMITTEE

Paul Colandreo	June 30, 2001
Patricia Colandreo	June 30, 2001
Albert St. George, Vice Chairman	June 30, 2001
Thomas Haroutunian, Secretary	June 30, 2001
Phyllis Haroutunian	June 30, 2001
Gilbert Moreira, Chairman	June 30, 2001
Susan Moreira	June 30, 2001
Nancy Shannon	June 30, 2001
James Spinale	June 30, 2001

DITSON SCHOOL BUILDING COMMITTEE

Milton H. Kinney - Building Inspector	
Peter M. Coppinger - Selectmen's Appointee	
Thomas Galligani - School Committee Appointee	
Donald Fay, Chairman - Finance Committee Appointee	
Robert C. Norman - Planning Board Appointee	
Frank W. McDewell - Moderator's Appointee	June 30, 2003
Marc E. Lally - Moderator's Appointee	June 30, 2004
Robin E. Price - Moderator's Appointee	June 30, 2002
Jane Kennedy - Moderator's Appointee	June 30, 2003

FAMILY FIRST NIGHT COMMITTEE

Kathleen Mullen
Carol Agostino
Michael Agostino
Anthony Capaldo, Fire Chief
Judith Ciampa
Shirley Holdman

Term Expires

Julie Greene, Co-Chairman
William Greene
Joseph Higgins
Bernier Hoar, Treasurer
Dorothy Murray
William MacDonald, Police Department Representative
Patricia E. Sawyer
Richard T. Sawyer
Frederick Ciampa

FINANCE COMMITTEE

Diane Milano, Secretary	June 30, 2004
Rino Moriconi, Vice-Chairman	June 30, 2004
Anthony Barbere	June 30, 2003
Peter Greeley	June 30, 2003
Ralph McKenna	June 30, 2003
John McKenna	June 30, 2003
Roger Biagiotti, Jr., (deceased 3/02)	June 30, 2002
David A. Gagliardi	June 30, 2002
Dorothy M. Callihan	June 30, 2002
Donald L. Fay	June 30, 2002
Kathryn Matos, Chariman	June 30, 2004

ASSOCIATE MEMBERS:

1 st - Robert Smith	June 30, 2002
2 nd - Alfred R. Pearson	June 30, 2001

EX-OFFICIO MEMBER: Town Accountant

GENERAL BY-LAW REVIEW COMMITTEE

Dorothy M. Callihan	June 30, 2003
John Cancio	June 30, 2003
Joan McNamara	June 30, 2003
James Mollison	June 30, 2003
Lee Scalzilli	June 30, 2003
David Gagliardi	June 30, 2003
Joanne Gagliardi	June 30, 2003

GRIGGS FARM/TOWN LAND USE COMMITTEE

James F. O'Donnell - Selectmen's Appointee	June 30, 2001
Mary A. Pasho - Moderator's Appointee	June 30, 2004
Vacancy - Moderator's Appointee	June 30, 2001
Peter Greeley - Finance Committee Appointee	June 30, 2001
Judith Amelotte - Conservation Comm. Appointee	June 30, 2001

Term Expires

HANDICAPPED COMMISSION

Wayne L. Sharpe - Handicapped slot	June 30, 2004
Debra Kardenetz - Member at large	June 30, 2004
Helen G. Gentile - Elected official	June 30, 2002
Michael Rossi - Handicapped slot	June 30, 2002
Valerie McEachern - Handicapped slot	June 30, 2003
Paul Grassia - Handicapped slot	June 30, 2004
Joann Stone	June 30, 2003

Office Answering Machine-(978)-667-1258

HISTORICAL COMMISSION

Margaret B. Ingraham	June 30, 2004
Carol P. Bruyere	June 30, 2004
Elizabeth M. Cleary	June 30, 2004
Thomas M. Paskiewicz	June 30, 2003
Helen Knight	June 30, 2002
Virginia Maguire	June 30, 2002
Alec Ingraham, Chairman	June 30, 2003

HISTORIC DISTRICT COMMISSION

Carol A. Wood - Bd. Of Realtor's Nominee (Resigned)	June 30, 2002
Debra Fox - Filling Lawyer Position	June 30, 2004
Debra Wolf - Historical Society Member (Co-Sec.)	June 30, 2003
Joshua Kane, AIA - Society of Architects	June 30, 2002
Kristin Norwood, AIA - Filling Architect position	June 30, 2004
Douglas Meagher	June 30, 2002
Richard Young, Vice Chairman	June 30, 2003

ALTERNATES:

Anne Marie Dube	June 30, 2002
Colin E. Murphy	June 30, 2003
James Heiberg	June 30, 2002
Mary Canty	June 30, 2002

EX-OFFICIO MEMBER

Peter Kennedy, Town Planner (978-671-0962)

HOUSING PARTNERSHIP COMMITTEE

Peter M. Coppinger - Selectman-Resigned 4/8/02	June 30, 2003
Michael S. Rosa - Selectman	June 30, 2003
Dorothy L. Pearson - Housing Authority Member	June 30, 2003
Donna L. Doucette - Planning Board Member	June 30, 2003
John J. McKenna - Finance Committee Member	June 30, 2003
Ronald Stocker - Developer	June 30, 2003

	<u>Term Expires</u>
Sean E. McCaffery - Attorney	June 30, 2003
Lori McGuerty - Real Estate	June 30, 2003
Claire Moore - Real Estate Member	June 30, 2002
Vacancy	June 30, 2003
Linda DeProfio - Resident	June 30, 2003
John P. Hurley - Resident	June 30, 2003
Robert K. Gingras, Resident	June 30, 2003
Valerie Barbour, Resident	June 30, 2003
Robert Calabrese, Supt. of Schools	June 30, 2003

INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY

Bernard F. Hoar, Chairman	June 30, 2003
Vacancy (Realtor)	June 30, 2002
Donald F. MacDonald	June 30, 2002
Edward J. Giroux	June 30, 2004
Ilana Freedman	June 30, 2003

MAPPING COMMISSION

Vacancy	June 30, 2000
Vacancy	June 30, 2000
Vacancy	June 30, 2002
Vacancy	June 30, 2001
Vacancy	June 30, 2001
Vacancy	June 30, 2002
Vacancy	June 30, 2000

MUSEUM COMMITTEE

Helen Potter - Historical Society Appointee	June 30, 2003
Helen Knight - Historical Commission Appointee	June 30, 2003
Kevin J. Collins – Moderator’s Appointee	June 30, 2003
Vacancy - Arts Council Appointee	June 30, 2000
Barbara Hagan - School Committee Appointee	June 30, 2003
Robert M. Correnti - Selectman	June 30, 2002
Ronald Turner - Town Manager Appointee	June 30, 2002
Joan L. Parcewski – Selectmen’s Appointee	June 30, 2004
Bruce Gates – Selectmen’s Appointee	June 30, 2004

ALTERNATES:

Peter M. Coppinger - Selectman	June 30, 2002
Priscilla DiBona - Historical Society Appointee	June 30, 2004
Thomas Paskiewicz - Selectmen’s Appointee	June 30, 2004

OMBUDSMAN COMMITTEE

Vacancy	June 30, 2000
Vacancy	June 30, 2000

	<u>Term Expires</u>
Vacancy	June 30, 2001
Vacancy	June 30, 2001
Vacancy	June 30, 2001

PERSONNEL BOARD

Jeanne LeGallo (Resigned 11/00)	June 30, 2003
Vacancy	June 30, 2002
Williams Collins	June 30, 2002
James Foye	June 30, 2004
Vacancy	June 30, 2003

PUBLIC LIBRARY BOARD OF TRUSTEES

Mary K. McBride	June 30, 2003
William Flaherty	June 30, 2003
Devora Abramowitz	June 30, 2003
Robert M. Correnti	June 30, 2003
Robert E. Alger	June 30, 2002
Thomas Vaughn	June 30, 2002
John Coyne, Chairman	June 30, 2004
Marion R. Murray	June 30, 2004
William E. Foley	June 30, 2004

Treasurer: (per Chapter 320 - Acts & Resolves of 1978). "....the Town Treasurer shall act as treasurer of such board of trustees...."

David A. Genereux, Treasurer

LIBRARIAN - Barbara Flaherty

RECREATION COMMISSION

Sal Cognato	June 30, 2003
John T. Colbert	June 30, 2002
John E. Bartlett	June 30, 2002
James Spinale	June 30, 2003
Paul F. Shibles	June 30, 2004
Addie Finley	June 30, 2004
Gary Dunton	June 30, 2002
Marjorie A. Dunton	June 30, 2002
Daniel Goodwin	June 30, 2003
Steven A. Jenkins	June 30, 2002
Maureen Dunton	June 30, 2004

RECREATION SUPERVISOR: Joseph Higgins, Jr., June 30, 2002

SCHOLARSHIP FOUNDATION COMMITTEE

Term Expires

Dorothy M. Murray	June 30, 2003
Maureen M. Sullivan	June 30, 2003
Judith Ciampa	June 30, 2003
Ruth Siraco	June 30, 2003
Elaine T. Horlink	June 30, 2002
Patricia Annunziata	June 30, 2004
Ellen Day Rawlings	June 30, 2002
Eleanor H. Hoar, Chairman	June 30, 2002
Susan Capaldo	June 30, 2002
Michael Ouellette	June 30, 2002
Alice J. Berry	June 30, 2004
Susan Blinn	June 30, 2003
Christine Hoar	June 30, 2003
Barbara Davis	June 30, 2004
Dolores A. King	June 30, 2004
Elizabeth H. Davis Berube	June 30, 2004
Edward J. Giroux	June 30, 2004
Steven P. McCarthy	June 30, 2001

SEPTAGE DISPOSAL STUDY COMMITTEE

L. Joy Arsenault, Secretary	Selectmen's Appointee
Richard Berube	Board of Health Appointee
Edward Bunker, Chairman	Sewer Commission Appointee
Donald F. MacDonald, Vice-Chairman	Moderator's Appointee
Malcolm McDowell	Selectmen's Appointee
Roger Nowicki	Sewer Commission Appointee
Michael T. Revane	Moderator's Appointee

SEWER EXTENSION COMMITTEE

John F. Gray, Jr., Chairman	June 30, 2004
Edward A. Bunker	June 30, 2003
William F. Loughlin	June 30, 2003
Paul A. Odierno, Secretary	June 30, 2002
Roger A. Nowicki, Vice-Chairman	June 30, 2002

STREET ACCEPTANCE & DISCONTINUANCE COMMITTEE

Michael Rosa - Selectman	June 30, 2002
Christopher L. Blake - Planning Board	June 30, 2002
Donald Fay - Finance Committee	June 30, 2001
John Livsey - Town Engineer	June 30, 2002
Peter Kennedy - Town Planner	-----

Term Expires

TOWN BEAUTIFICATION COMMITTEE

Evelyn M. Haines	June 30, 2003
Susan St. Cyr	June 30, 2003
Elaine Kunicki, Chairman	June 30, 2003
Neville Rivet - Town Engineer's designee	June 30, 2003
Vivian V. Chaput	June 30, 2003
Cynthia Hawes	June 30, 2002
Andrew J. Bowen	June 20, 2002

ALTERNATE MEMBER:

Helen L. Potter	June 30, 2003
Diane Dexter	June 30, 2002

EX-OFFICIO:

Town Manager	
Jeanne Legallo	June 30, 2000

TOWN MEETING WARRANT ACTION COMMITTEE

Lillie M. Ralston	June 30, 2004
Nancy L. Smith - Moderator's Appointee	June 30, 2003
Alfred Pearson - Moderator's Appointee	June 30, 2002
Robert Smith - Finance Committee Appointee	June 30, 2004
Evelyn M. Haines - Assistant Town Manager	-----

WORLD WAR II VETERAN'S MEMORIAL COMMITTEE

Anthony Barbere - Finance Committee Appointee
Arthur M. Curtin - Veteran
Michael S. Rosa - Selectmen Appointee
Nicholas Rosa - Veteran
Edward J. Hurd - Veteran
Edward J. McDonald - Veteran
Andrew J. Bowen - Veteran

PRECINCT CHAIRPERSONS & CLERKS (2002-2003)

PRECINCT 1

Chairman: David Gagliardi, 2 Whiting Street, 01821
Clerk: Joanne M. Gagliardi, 2 Whiting Street, 01821

PRECINCT 2

Chairman: Carol D. Wood, 29 Call Street, 01862
Clerk: Peter E. Marck, 23 Sevens Oaks Road, 01821

PRECINCT 3

Chairman: Lawrence R. Norman, 18 Shelburne Avenue, 01821
Clerk: William F. Loughlin, 11 Lincoln Road, 01821

PRECINCT 4

Chairman: Alma Elkins, 27 Glad Valley Drive, 01821

Clerk: Douglas Fogerty, 26 French Street, 01821

PRECINCT 5

Chairman: Kenneth L. Buffum, 86 Baldwin Road, 01821

Clerk: Madeline T. Sargent, 17 Gov. Fuller Road, 01821

PRECINCT 6

Chairman: Salvatore Pasciuto, Jr., 20 Moran Road, 01862

Clerk: Malcolm P. McDowell, 56 Riveredge Road, 01862

PRECINCT 7

Chairman: John E. Bartlett, 9 Edgar Road, 01821

Clerk: Janice D. Busalacchi, 13 Kirk Road, 01821

PRECINCT 8

Chairman: Barbara Morrissey, 10 Sumac Street, 01821

Clerk: Charlene McCarthy, 52 Gail Ann Drive, 01821

PRECINCT 9

Chairman: Elaine T. Horlink, 1 Lorraine Terrace, 01821

Clerk: Anthony V. Capezza, Jr., 8 Cynthia Road, 01821

PRECINCT 10

Chairman: Doris M. Pearson, 25 Harjean Road, 01821

Clerk: William H. Desmond, 5 Kingston Street, 01821

PRECINCT 11

Chairman: Anthony Barbere, 7 Olde Hillside Avenue, 01821

Clerk: Michael T. Revane, 113A Bridle Road, 01821

STANDING COMMITTEES

(Appointed by either the Selectmen or Town Manager) (Not Town Meeting – created Committees)

BILLERICA ACCESS CORPORATION

Anthony Barbere

William F. Walsh

John R. Glennon

Paul R. Kendall

Carlo Piacenza, Jr.

Marie Blanchette

James A. Crowley, Sr., - Town Manager Appointee

BILLERICA ACCESS TELEVISION BOARD OF DIRECTORS:

Barbara Flaherty

BILLERICA GREEN-UP/EARTH DAY

James F. O'Donnell

Ellen Day Rawlings

Evelyn M. Haines

BIKE PATH COMMITTEE

Ellen Day Rawlings

BILLERICA PLAN

All Selectmen

CABLE ADVISORY COMMITTEE (Appointed by Board of Selectmen)

Ed MacDonald

Bill Walsh

Kevin P. Conway, Chairman

Anthony Iovanna

John S. Renoni

Ellen Day Rawlings - Selectman

CAPITAL BUDGET ADVISORY COMMITTEE

Kenneth H. Johnson

Christopher L. Blake

Richard D. Tracey

Doris Pearson

COMMUNITY FUNDS (Welch's, Nortel, Jabil)

All Selectmen

COMMUNITY PRESERVATION ACT STUDY COMMITTEE

Mary McBride, Chairman – Historical Commission Rep.

Al Ramos, Secretary – Resident at Large

Philip J. Newfell – Resident at Large

Russell H. Washburn, Vice-Chairman – Resident at Large

Ilana Freedman – Resident at Large

James F. O'Donnell, Jr. – Board of Selectmen Rep.

John McKenna – Housing Partnership/Housing Authority Rep.

Kathy Matos – Finance Committee Rep.

John Bartlett – Open Space & Recreation Committee Rep.

Salvatore Pasciuto – Planning Board Rep.

Ex-Officio Member – Richard Scanlon, Principal Assessor

CONTRIBUTION PARK COMMITTEE

Evelyn M. Haines

ECONOMIC DEVELOPMENT COMMITTEE

James F. O'Donnell, Jr.

Ellen Day Rawlings

FAIR HOUSING COMMITTEE

Evelyn M. Haines - Director

INSURANCE ADVISORY COMMITTEE

Arthur M. Curtin

KENT FUND

Ellen Day Rawlings

Robert M. Correnti

LONG RANGE MASTER PLANNING COMMITTEE

Peter Greeley - Finance Committee Appointee June 30, 2002

Salvatore Pascuito, Jr. - Planning Board Appointee June 30, 2002

Ellen Day Rawlings - Selectman

Peter M. Coppinger - Selectman

Robert Keough - School Committee Member June 30, 2002

Michael A. Tammaro - Selectmen's Appointee June 30, 2002

John R. Glennon - Moderator's Appointee June 30, 2002

Donna Doucette - Selectmen's Appointee June 30, 2002

Ted Clark - Selectmen's Appointee June 30, 2002

Malcolm McDowell - Billerica Plan Appointee June 30, 2002

Stephen Dresser - Chamber of Commerce Appointee June 30, 2002

Robert Reader - Board of Health Appointee

Joseph Shaw - Board of Appeals Appointee

Paul Shibles - Recreation Appointee

Ilana Freedman - Conservation Commission Appointee

Vacancy - Alternate- School Dept

MASS. SELECTMEN'S ASSOC. BD. OF DIRECTORS

Arthur L. Doyle

MBTA ADVISORY BOARD

Richard A. Montuori

MIDDLESEX COUNTY SELECTMEN'S ASSOCIATION

All Selectmen

OLD DITSON SCHOOL RE-USE COMMITTEE (STM5/14/1998 - Art. 1)(Resolution)

Vacancy - Planning Board Member

Virginia Wrobel - Council on Aging	
Stewart Wood - Housing Authority	
Paul Shibles - Recreation Commission	
James F. O'Donnell, Jr., - Board of Selectmen	
Brian E. Kelly - Resident	June 30, 2001
Grant Whiteway, Jr - Resident.	June 30, 2001
Judy Delano - Resident	June 30, 2004
Donald C. Delano - Resident	June 30, 2004
Joan Parcewski - Resident	June 30, 2004
Marc Lally - Resident	June 30, 2002
Alternate: Carol Ford	June 30, 2002

OPEN SPACE & RECREATION

John E. Bartlett	June 30, 2004
Bruce E. Richardson	June 30, 2004
Isabell M. Reardon	June 30, 2004
Joseph E. Silva	June 30, 2001
Joanne M. Giovino	
Ellen Day Rawlings	
Margaret Hannon-Rizza	
Paul Marasco	
Jan Wetzel	June 30, 2004

PRISON EXPANSION COMMITTEE

James F. O'Donnell, Jr.
Michael S. Rosa

PROJECT ADVISORY COUNCIL (formerly ROUTE 3 WIDENING COMMITTEE)

Richard A. Montuori, Town Manager

RECYCLING COMMITTEE

Arthur L. Doyle, Chairman	
James F. O'Donnell, Jr. – Selectmen's Rep.	June 30, 2005
Peter Kennedy	
Diane Dexter	June 30, 2004
Edward J. McAdoo	June 30, 2002
David McLaughlin	
Maureen M. Sullivan	
John Lafferty	June 30, 2002

RIVER STEWARDSHIP COUNCIL (Formerly Wild & Scenic River Study Committee)

Ralph Bacon	June 30, 2002
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SENIOR CITIZENS' ADVISORY COMMITTEE

James F. O'Donnell
Michael S. Rosa

SEWER WAIVER COMMITTEE

Alfred Pearson - Finance Committee Appointee
Vacancy - Selectmen's Appointee
Evelyn M. Haines
Edward J. Hurd
Kenneth Johnson
Bernard Hoar - Board of Health Representative

TAX TITLE LAND SALE

Peter M. Coppinger
Michael S. Rosa

TRAFFIC MANAGEMENT COMMITTEE

Robert M. Correnti	Anthony Capaldo
Philip Newfell	John Livsey
David A. Gagliardi	Malcolm McDowell
Catherine E. Marshall	Theresa Rolinson
William E. MacDonald	Jan Wetzel
John McKenna	Donald Topaz
Joseph E. LeBlanc	

VIET NAM VETERAN'S PARK COMMITTEE

James F. O'Donnell
Ellen Day Rawlings
Thomas H. Conway, Jr.

WATER TREATMENT PLANT

Michael S Rosa
Robert M. Correnti

WARRANT FOR 2001 ANNUAL FALL TOWN MEETING

Greetings;

You are hereby authorized and required to notify and warn the inhabitants of said Town of Billerica qualified by law to vote in Elections and Town Affairs, to meet at the Maurice A. Buck Memorial Auditorium, Town Hall, 365 Boston Road, Billerica, MA, Tuesday, October 2, 2001, at 7:30 p.m. and subsequent Thursdays and Tuesdays until all of the business in the Warrant shall have been acted upon, the and there to vote of the following articles:

ARTICLE 1

To see if the Town will vote to appoint one (1) member of the Bower's Fund for a term of (5) years; or act in relation thereto. Submitted by the Board of Selectmen

ARTICLE 2

To see if the Town will vote to raise and appropriate the sum of \$340,564, to fund various FY 2002 Budget line items; or act in relation thereto.

Town:

Unclassified:	Building Insurance	\$ 42,000.00
Unclassified	Retirements	10,000.00
Water Dept.	Overtime	40,000.00
Water Dept.	Hydrant Flushing	28,000.00
Highway	Cont. Services	50,000.00
	Total	\$ 170,000.00

Schools:

Unclassified:	Building Insurance	\$ 14,598.00
Unclassified:	Workers Comp.	63,084.00
Schools	Retirements	92,882.00
	Totals	\$ 170,564.00

Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 3

To see if the Town will vote to transfer from available funds the sum of \$3,800, to fund various FY 2002 Budget line items; or act in relation thereto.

Transfer From:

Selectmen Salaries - \$1,400

Selectmen Salaries – \$900

Selectmen Salaries - \$1,500

Submitted by the Town Manager authorized by the Board of Selectmen

Transfer to:

Board of Health Cholesterol Screening

Disability Commission

Beautification Comm. (Holiday Festival)

ARTICLE 4

To see if the Town will vote to transfer the sum of \$326,045.22, from FY 2001 overlay surplus to fund overlay deficits for the following fiscal years; or act in relation thereto.

Fiscal Year	Amount
1982	\$ 24,349.16
1983	64,570.73
1985	4,758.36
1987	17,868.76
1988	51,020.50
1989	41,342.83
1990	54,203.99
1991	17,373.11
1993	50,224.53
1994	333.25
	Total \$ 326,045.22

Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 5

To see if the Town will vote to transfer from free cash the sum of \$500,000, to fund construction and engineering of Recreation facilities/parking on French Street. Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 6

To see if the Town will vote to transfer from free cash the sum of \$1,000,000 to fund a pedestrian, landscape and traffic improvements to Town of Billerica Center; or act in relation thereto. Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 7

To see if the Town will vote to transfer from free cash the sum of \$375,000 to fund the purchase of three (3) 6 wheel dump trucks with plow and sanders for the Department of Public Works; or act in relation thereto. Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 8

To see if the Town will vote to reauthorize and continue the previously appropriated funds and for the purpose specified in the following specific articles previously approved by Town Meeting; or act in relation thereto.

Article 25, ATM October 6, 1998 - \$200,000, Baldwin Road Sidewalk

Article 5, STM October 13, 1998 - \$50,000, Baldwin Road Sidewalk

Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 9

To see if the Town will vote to transfer from Free Cash the amount of \$30,000 for handicapped accessibility for Town buildings. Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 10

To see if the Town will vote to transfer from Free Cash the sum of \$50,000, to fund consulting services for the Long Range Master Planning Committee: or act in relation thereto. Submitted by the Long Range Master Planning Committee

ARTICLE 11

To see if the Town will vote to transfer from Free Cash the sum of \$25,000, to fund a Feasibility Study for the Telecommunications Mapping Study Committee; or act in relation thereto. Submitted by Commercial Wireless Facilities Review Committee

ARTICLE 12

To see if the Town will vote transfer from Free Cash the sum of \$25,000 to complete the inventory of the Town's fixed assets; or act in relation thereto. Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 13

To see if the Town will vote to transfer from Free Cash the sum of \$50,000, to fund the development of a new zoning map for the Town; or act in relation thereto. Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 14

To see if the Town will authorize the Board of Selectmen to purchase all of a certain parcel of land located in Billerica shown on Assessor's Map as Plate 34, Parcel 69, 10 acres +/- for Conservation, Recreational, Open Space or any other municipal purpose and to further vote to raise and appropriate, or transfer from available funds the sum of \$600,000, for said purposes; or act in relation thereto. Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 15

To see if the Town will authorize the Board of Selectmen to purchase all of a certain parcel of land located in Billerica shown on Assessor's Map as Plate 15, Parcel 29, 18.9 acres +/- for Conservation, Recreational, Open Space or any other municipal purpose and to further vote to raise and appropriate, or transfer from available funds the sum of \$700,000, for said purposes; or act in relation thereto. Submitted by the Board of Selectmen

ARTICLE 16

To see if the Town will approve the expenditure of \$53,018 from the Cafeteria Revolving Account to fund the Collective Bargaining Agreement between the Town of Billerica School Committee and The American Federation of State, County and Municipal Employees, AFF-CIO, Council 93, Local 2747, Cafeteria Employees; or act in relation thereto. Submitted by the Billerica School Committee

ARTICLE 17

To see if the Town will transfer from the Stabilization Fund the sum of 164,800 to fund the cost of additional Short Term Interest for the New Ditson School (Debt and Interest Account 33005-5200; or act in relation thereto. Submitted by the Billerica School Committee

ARTICLE 18

To see if the Town will transfer from the Free Cash the sum of \$1,229,825 to fund Capital Improvement Projects and Equipment for all of the Billerica Public Schools; or act in relation thereto. Submitted by the Billerica School Committee

ARTICLE 19

To see if the Town will vote to raise and appropriate or transfer from total free cash the sum of \$3,000,000 to the Land Fund; or act in relation thereto. Submitted by the Town Manager authorized by the Board of Selectmen and Finance Committee

ARTICLE 20

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$3,000,000, to the Stabilization Fund; or act in relation thereto. Submitted by the Town Manager authorized by the Board of Selectmen, Finance Committee and Billerica School Committee

ARTICLE 21

To see if the Town of Billerica will vote to transfer from free cash \$1,000,000 (one million dollars) to offset the tax increase for fiscal year 2002; or act in relation thereto. Submitted by Selectmen Michael S. Rosa, Petitioner and Messrs. Hurd, Rosa, Rosa, Rexford, Flesher and Mesdames Moore, Rosa, Coleman and Aborn-Hyatt

ARTICLE 22

To see if the Town will vote to transfer from Free Cash a sum of money to be applied to the fiscal year 2001/2002 tax rate; or act in relation thereto. Submitted by the Finance Committee

ARTICLE 23

To see if the town will vote to accept General Laws Chapter 44 Sections 3-7, known as the Community Preservation Act, which establishes a special "Community Preservation Fund" that may be appropriated and spent for certain open space, historic resources and affordable housing purposes, to approve a property tax surcharge in an amount not to exceed three percent of the taxes assessed annually on real property which shall be dedicated to the fund, such surcharge to be imposed on taxes assessed for fiscal years beginning on or after July 1, 2002, and to exempt from the surcharge any or all of the following: (1) property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the community; (2) Class Three, Commercial and Class Four, Industrial, property in any year the town adopts a higher tax rate for those classes; or (3) \$100,000 of the assessed valuation of Class One, Residential, parcels, or take any other action relative thereto. Submitted by the Community Preservation Act Study Committee

ARTICLE 24

To see if the Town will vote to amend the Billerica General By-laws by adopting the following new Article to be entitled "Community Preservation Committee":

Section 1: Establishment

There is hereby established a Community Preservation Committee, ("Committee"), consisting of nine (9) voting members pursuant to MGL Chapter 44B. The composition of the Committee, the appointing authority and the term of office for Committee members shall be as follows:

One member of the Conservation Commission as designated by the Conservation Commission for a term of three years.

One member of the Historical Commission as designated by the Historical Commission for a term of three years.

One member of the Planning Board as designated by the Planning Board for an initial term of two years and thereafter for a term of three years.

One member of the Recreation Commission as designated by the Recreation Commission for an initial term of two years and thereafter for a term of three years.

One member of the Housing Authority as designated by the Housing Authority for an initial term of one year and thereafter for a term of three years.

One member of the Housing Partnership Committee as designated by the Housing Partnership Committee for an initial term of one year and thereafter for a term of three years.

Three members to be appointed by the Town Manager, one member to be appointed for a term of one year and thereafter for a term of three years, one member to be appointed for a term of two years and thereafter for a term of three years, and one member to be appointed for a term of three years.

If there are no persons acting in the capacity of or performing like duties of any such commission, board or authority, the Town Manager shall have the authority to appoint a member representative of such commission, board or authority.

Should any individual be unable to complete his/her term of appointment, the appointing authority of that individual shall appoint a new member to complete the term.

Section 2: Duties

(1) The Committee shall study the needs, possibilities and resources of the Town regarding community preservation. The Committee shall consult with existing municipal boards, including but not limited to the Conservation Commission, the Historical Commission, the Planning Board, the Recreation Commission and the Housing Authority, or persons acting in those capacities or performing like duties, in conducting such studies. The Committee shall consult with other town boards, commissions or committees, as it deems necessary. As part of its study, the Committee shall hold one or more public informational hearings on the needs, possibilities and resources of the town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the Town.

(2) The Committee shall make recommendations to the Town Meeting for the acquisition, creation and preservation of open space, for the acquisition and preservation of historic resources, for the acquisition, creation and preservation of land for recreational use, for the creation, preservation and support of community housing and for rehabilitation or restoration of such open space, historic resources, land for recreational use and community housing that is acquired or created as provided in this section. With respect to community housing, the Committee shall recommend wherever possible, the

reuse of existing buildings or construction of new buildings on previously developed sites.

(3) The Committee may include in its recommendation to the Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose or to set aside for later spending funds in the Community Preservation Fund for general purposes that are consistent with community preservation. Recommendations to the Town Meeting shall include the anticipated costs of such recommendations.

Section 3: Requirement for a Quorum and Cost Estimates

The Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the Committee shall constitute a quorum. All meetings of the Committee shall be held in accordance with the Open Meeting Law, MGL, Chapter.39, Section 23B.

The Committee shall approve its actions by majority vote.

Section 4: Amendments

This Chapter may be amended from time to time by a majority vote of the Town Meeting, provided that the amendments would not cause a conflict to occur with MGL, Chapter 44B.

Section 5: Severability

In case any section, paragraph or part of this chapter be for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

Section 6: Effective Date

Following Town Meeting approval, this Chapter shall take effect immediately upon approval by the Attorney General of the Commonwealth. Each appointing authority shall have thirty days after approval by the Attorney General to make their initial appointments. Should any appointing authority fail to make its appointment within the allotted time, the Town Manager shall make the appointment; or act in relation thereto. Submitted by the Community Preservation Act Study Committee

ARTICLE 25

To see if the Town will vote to accept the following streets as public ways in accordance with the layouts adopted by the Board of Selectmen and on file with the Town Clerk and to authorize the Board of Selectmen to accept gifts of easements for said public ways and associated easements for drainage or other purposes, and further to allocate sufficient funds for the widening, reconstruction, repairing, and or paving of said streets; or act in relation thereto:

STREETSLENGTH

Apollo Ave.	Dead End to Rhodes St	570
Arey St.	150 ft S. of Marshall St to Dead End	762
Baker St.	Bolton St to 240 ft W. of Mallard St	464
Beaconcrest Ct.	Blackwood to Dead End	120
Beach St	Lakeview Dr. to Eliot St	823
Bolton Rd	Baker St. to Beach St	614
Broadway St	Blackstone St to Dead End	150
Bruning Rd	Dead End to Dead End	1072
Cherry St	Marshall St. to Dead End	315
Clinton St	Friendship to Dead End	195
Columbia Rd	Marshall St to Dead End	265
Cottage St	Fuller Rd to Dead End	745
Country Ln.	Lake St to Dead End	1002
Cove St	Pond Ln. Ext. to Dead End	200
Durrant Ct.	Mallard St to Dead End	98
Exeter Place	Lexington Rd to Dead End	979
Gail Ann Dr	Fox Hill Road to Dead End	800
Glendale St	Mcdonough Way to Dead End	168
Howard Ave	Middlesex Tpk. to Dead End	171
Islington St	Fourth Ave to Dead End	1,300
Jefferson St	Fourth Ave to Dead End	560
Jefferson St	Alexander Rd to Dead End	193
Mulcahy Ln	Dead End to Cady St	761
Newbury St	Fourth Ave to Dead End	610
Pearl Rd	Tremont Rd to Dead End	255
Perreault Ave	215ft W. of Middlesex Tpk to Dead End	403
Pleasant St	Pollard St to Waterview Ave	386
Plenty St	Dead End to Dead End	450
Plenty St	Dead End to Mulcahy Ln	300
Rhodes St.	Friendship St to 300 ft N. of Friendship St	300
Rhodes St	Stewart St to Lake St	840
Rocky Ledge Ln	Fenner St to Dead End	250
Rocky Ledge Ln	Friendship St to 270 ft N. of Friendship St	270
Shady Hill Av	Blackwood Ave to Dead End	211
Short Rd	Columbia Rd to Arey St	230
Sinclair St	Winter St to Dead End	202
South St	Dead End to Dead End	1019
Stewart St	Peace St to Fenner St	719
Swan Lane	250 ft S. of Friendship St to Apollo Ave	417
Terry Rd	Country Ln to Lexington Rd	563
Third Ave	Vincent St to Dead End	200
Tremont Rd	Marshall St to Dead End	315
Truman Ave	Pollard St to Dead End	620

Wedgemere St	Mcdonough Way to Dead End	245
Woodcliff Dr	Fourth Ave to Dead End	422
Albert St	466 ft W. of Connolly Rd to Dead End	80
Albion Rd	Shawsheen Rd to Dead End	1801
Naushon Rd	Albion Road to dead end	220
Olney St	Connolly Rd to Cul-De-Sac	1450
Partridge Rd	Shawsheen Rd to Riverside Rd	406
Payson Rd	642 ft W. of Boston Rd to Grandview Rd	275
Pinehurst St	Glenside Ave to 75 ft E. of Glenvale Ave	575
Seminole Rd	Riverside Rd to Dead End	150
Shelburne St	Connolly Rd to Dead End	1333
Woodland Rd	Tremlett Rd to Riverside Rd	1107
Dudley Rd	1061 ft W. of Nashua Rd to Town Line	3900
Submitted by the Town Manager authorized by the Board of Selectmen		

ARTICLE 26

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain the following rights in land parcels for the purpose of obtaining secure permanent and temporary sewer easements, for the construction and maintenance of a sewer line between Burnham Road and Oak Street. These easements will be on the parcels of land shown on the assessor's map 11 as parcels 70-1, 70-2, 115, 171, and assessor's map 12 parcel 99; or act in relation thereto. Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 27

To see if the Town will vote to authorize the Board of Selectmen to abandon a 3 ft x 44 ft portion of a sewer easement in the following land parcel for the purpose of the construction of an addition. This easement is on the parcel of land shown on the assessor's map 88 as parcels 89-1; or act in relation thereto. Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 28

To see if the Town will vote to authorize the Board of Selectmen to acquire rights in land parcels for the purpose of obtaining secure and public rights of way and/or temporary and permanent utility and right-of-way easements, for the purpose of securing rights for road improvements and/or storm drainage improvements. This action will allow the following project:

McHugh Ave Sidewalk

Furthermore, that the Board of Selectmen may acquire these rights-of-way or easements or modifications of these through all legal means. This includes donations by owners and/or eminent domain; or act in relation thereto. Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 29

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain the following rights in land parcels for the purpose of

obtaining secure permanent and temporary sewer easements, for the construction and maintenance of a sewer line for contracts 32 and 33 (River Pines); or act in relation thereto. Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 30

To see if the Town will vote to accept Francis Road as a public way in accordance with the layout adopted by the Selectmen and on file with the Town Clerk and to authorize the Board of Selectmen to accept gifts of easements for said public way and any associated easements for drainage or other purposes; or act in relation thereto. Submitted by the Planning Board

ARTICLE 31

To see if the Town will vote to accept Frankey Lane as a public way in accordance with the layout adopted by the Selectmen and on file with the Town Clerk and to authorize the Board of Selectmen to accept gifts of easements for said public way and any associated easements for drainage or other purposes; or act in relation thereto. Submitted by the Planning Board

ARTICLE 32

To see if the Town will vote to accept Aynsley Circle as a public way in accordance with the layout adopted by the Selectmen and on file with the Town Clerk and to authorize the Board of Selectmen to accept gifts of easements for said public way and any associated easements for drainage or other purposes; or act in relation thereto. Submitted by the Planning Board

ARTICLE 33

To see if the Town will vote to accept Bennett Circle as a public way in accordance with the layout adopted by the Selectmen and on file with the Town Clerk and to authorize the Board of Selectmen to accept gifts of easements for said public way and any associated easements for drainage or other purposes; or act in relation thereto. Submitted by the Planning Board

ARTICLE 34

To see if the Town will vote to accept Minton Road as a public way in accordance with the layout adopted by the Selectmen and on file with the Town Clerk and to authorize the Board of Selectmen to accept gifts of easements for said public way and any associated easements for drainage or other purposes; or act in relation thereto. Submitted by the Planning Board

ARTICLE 35

To see if the Town will vote to extend the tenure of the Commercial Wireless Facilities Review Committee until the 2004 Annual Fall Town Meeting; or act in relation thereto. Submitted by the Commercial Wireless Facilities Review Committee

ARTICLE 36

To see if the Town of Billerica will vote to form a committee of nine (9) members. eight of these members to be appointed by the Moderator, six from Veterans Organizations in

Billerica, one Town Meeting Member, one Finance Committee member, one Member of the Board of selectmen appointed by the Board of Selectmen and one member from the Veteran's Affairs Office as an ex-officio member; to look at constructing a WWII Veterans Memorial and report back to the Spring Town Meeting; or act in relation thereto. Submitted by Selectmen Michael S. Rosa, Petitioner and Messrs. Hurd, Rosa, Rosa, Rexford, Flesher and Mesdames Moore, Rosa, Coleman and Aborn-Hyatt.

ARTICLE 37

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact legislation to exempt those municipalities which do not accept the Community Preservation Act from paying the additional fees levied by the Registry of Deeds under Section 8 of said Act which adds an additional charge of \$20.00 to nearly every document recorded; or act in relation thereto. Submitted by Ralph J. McKenna Petitioner and Messrs. McKenna, McDonald, Coakley, McKenna and Mesdames Gibson, Schultz, Dagle, Faria and McKenna.

ARTICLE 38

To see if the Town will vote to establish an "Adequate Access By-law Review Committee" to review Article 4.1 of the Town's General By-Laws. The purpose of this committee is to review and clarify what the intent was of Town Meeting in establishing this by-law with due consideration of its impact on all residents and make a report no later than 2002 Fall Town Meeting. For purposes of making this committee responsive to all concerns, the committee will consist of one member of the Board of Selectmen or their designee; one member of the Planning Board or their designee; the DPW Director or his designee; a member of the Billerica Chamber of Commerce, a member of the By-Law Review Committee, a member of the Rules Committee, and three (3) Town Meeting members or residents appointed by the Town Moderator; or act in relation thereto. Submitted by Mr. Bernard F. Hoar, Petitioner, and Messrs Davis, Jr., Noonan, Colantuori, Hunt, Jr. and Mesdames Hoar, Davis, Davis, Noonan and Mahoney.

ARTICLE 39

To see if the Town will vote to adopt the revised General By-Laws as recommended by the General By-Law Review Committee which is attached hereto and incorporated therein in accordance with Section 7-9 of the Charter; or act in relation thereto. Submitted by the General By-Law Review Committee

ARTICLE 40

To see if the Town will vote to repeal the General By-Laws of 1994 including all amendments through September 30, 2001; or act in relation thereto. Submitted by the General By-Law Review Committee

ARTICLE 41

To see if the Town will vote to extend the tenure of the General By-Law Review Committee until the 2002 Annual Spring Town Meeting; or act in relation thereto. Submitted by the General By-Law Review Committee

ARTICLE 42

To see if the Town will vote to amend section 5.C.1.i.(2)(c) of the Zoning By-Laws as follows:

In Residential Districts, an in-law apartment may be authorized by the SPGA by special permit for an accessory use to a dwelling consisting of separate living quarters not exceeding eight hundred (800) square feet in the same building as the principal use dwelling with occupancy of no more than two related persons, with sufficient off-street parking and the building must retain its characteristically one-family appearance. Such accessory use shall cease forthwith upon the premises being vacated by the aforementioned related persons except that, if the principal use dwelling remains owner occupied, with approval of the Building Inspector the accessory dwelling unit may be rented to no more than two individuals 55 years of age or older as an affordable dwelling unit as defined under section 2. The Billerica Housing Authority or other agency qualified by the Board of Selectmen shall be responsible for tenant qualification and the long term monitoring of these units. This agency shall qualify tenants on a yearly basis and leases shall contain language requiring yearly re-certification. The agency shall send a notice to the Building Inspector if the tenant is not re-certified. Owners shall be responsible for the cost of certifications; or act in relation thereto. Submitted by the Housing Partnership Committee

ARTICLE 43

To see if the Town will vote to re-zone from Industrial to Rural Residence the whole or any part of land owned by Circle Finance, Inc., off Treble Cove Road and Winning Road, a portion of Assessor's Map 21, Parcel 5-8' in said Town, bounded and described as follows: Area 4 on a plan entitled "Plan Showing Proposed Zoning Overlay, Winning Road, Billerica, MA." dated August 2, 2001, Harry R. Feldman, Inc. Surveyors.

AREA 4

PROPOSED REZONING FROM INDUSTRIAL TO RURAL RESIDENCE WITH TOWN HOUSES (OVERLAY)

A Portion of Parcel 5-8 on Map 21

A certain parcel of land located north of Winning Road and Treble Cove Road in Billerica, Massachusetts, bounded and described as follows:

Beginning at the westerly most corner of the herein described parcel;

Thence running N 82(20'18"E, a distance of 642.85 feet to a point on the easterly lot line of Circle Finance, Inc;

Thence turning and running S 18(20'25"E, a distance of 57.72 feet;

Thence turning and running S 38(05'28"W, a distance of 158.08 feet;

Thence turning and running N 64(12'55"W, a distance of 155.00 feet;

Thence turning and running S 50(02'05"W, a distance of 127.00 feet;

Thence turning and running S 83(17'05"W, a distance of 78.00 feet;

Thence turning and running N 57(57'55"W, a distance of 117.00 feet;
(the last six (6) courses being by the easterly and southerly lot lines of Circle Finance, Inc.)

Thence turning and running N 69(12'55"W, a distance of 154.22 feet in part by the southerly lot line of Circle Finance, Inc. to the point of beginning.

The above described parcel contains an area of about 1.5 acres and is a portion of Parcel 5-8 on Assessor's Map 21 and is shown as Area 4 on a plan entitled "Plan Showing Proposed Zoning Overlay, Winning Road, Billerica, Massachusetts" dated August 2, 2001, prepared by Harry R. Feldman, Inc., Land Surveyors; or act in relation thereto. Submitted by Stephen J. Lentine, Petitioner and Messers. McDowell, Noonan, Summerlin, Burlamachi, Cunha, Infantino and Mesdames Noonan, Summerlin and Infantino.

ARTICLE 44

To see if the Town will vote to rezone from Rural Residential District to an Industrial District the whole or any part of land owned by Robert L. Holland, Trustee of BM Realty Trust/Robert L. Holland on Treble Cove Road/Winning Road in Billerica, Ma., bounded and described as follows:

AREA 2

PROPOSED REZONING FROM RURAL RESIDENCE TO INDUSTRIAL

A Portion of Parcel 2-1 on Map 30

A certain parcel of land located on the northeast side of Winning Road in Billerica, Massachusetts, bounded and described as follows:

Beginning at a point on the centerline of the travel way of Winning Road in Billerica, Massachusetts, said point being the southwest corner of the herein described parcel;

Thence running N 15(07'57"E, a distance of 10.89 feet;

Thence turning and running N 08(58'40"E, a distance of 79.65 feet to a drill hole;

Thence turning and running N 23(24'12"E, a distance of 27.85 feet to a drill hole;

Thence turning and running N 58(47'03"E, a distance of 42.22 feet;

Thence turning and running N 51(48'35"E, a distance of 37.48 feet;

Thence turning and running N 66(49'27"E, a distance of 114.38 feet to a drill hole;

Thence turning and running N 69(27'22"E, a distance of 75.64 feet;

Thence turning and running N 66(29'52"E, a distance of 87.54 feet to a drill hole;

Thence turning and running N 74(51'38"E, a distance of 274.24 feet;

(the last nine (9) courses being by the northwesterly property line of Robert L. Holland)

Thence turning and running S 09(19'47"E, a distance of 248.85 feet;

Thence turning and running S 23(47'58"E, a distance of 442.41 feet;

Thence turning and running S 52(00'37"E, a distance of 493.60 feet;

Thence turning and running S 21(00'58"E, a distance of 100.29 feet to a point of curvature;

Thence turning and running southeasterly by a curve to the left having a radius of 760.00 feet, a distance of 134.63 feet to a point of tangency;

Thence running S 31(09'57"E, a distance of 49.77 feet to a point of curvature;
 Thence turning and running southeasterly by a curve to the left having a radius of 40.00 feet, a distance of 11.63 feet to a point of tangency;
 Thence running S 47(49'26"E, a distance of 102.04 feet to a point on the easterly lot line of Robert L. Holland;
 Thence turning and running S 05(40'43"E, a distance of 6.92 feet along said lot line of Holland;
 Thence turning and running S 26(26'53"W, a distance of 57.51 feet along said lot line of Holland to the point of intersection of the northerly sideline of Treble Cove Road and the centerline of the travel way of Winning Road;
 Thence turning and running N 47(49'26"W, a distance of 122.76 feet to a point of curvature;
 Thence turning and running northwesterly by a curve to the right having a radius of 100.00 feet, a distance of 29.07 feet to a point of tangency;
 Thence running N 31(09'57"W, a distance of 49.77 feet to a point of curvature;
 Thence turning and running northwesterly by a curve to the right having a radius of 820.00 feet, a distance of 145.26 feet to a point of reverse curvature;
 Thence turning and running northwesterly by a curve to the left having a radius of 130.00 feet, a distance of 68.90 feet to a point of tangency;
 Thence running N 51(23'03"W, a distance of 106.60 feet;
 Thence turning and running N 48(35'32"W, a distance of 228.37 feet;
 Thence turning and running N 55(32'40"W, a distance of 41.41 feet;
 Thence turning and running N 64(27'28"W, a distance of 63.55 feet;
 Thence turning and running N 77(40'16"W, a distance of 123.69 feet;
 Thence turning and running N 55(26'55"W, a distance of 59.51 feet;
 Thence turning and running N 41(49'25"W, a distance of 192.46 feet;
 Thence turning and running N 46(36'32"W, a distance of 89.96 feet;
 Thence turning and running N 58(59'12"W, a distance of 35.93 feet;
 Thence turning and running N 75(51'25"W, a distance of 147.01 feet;
 Thence turning and running N 73(53'14"W, a distance of 162.81 feet;
 Thence turning and running N 70(25'56"W, a distance of 128.54 feet to the point of beginning. (The last seventeen (17) course being by the centerline of the travel way of Winning Road).

The above described parcel contains an area of about 8.0 acres and is a portion of Parcel 2-1 on Assessor's Map 30 and is shown as a portion of Area 2 on a plan entitled "Plan Showing Proposed Zoning Overlay, Winning Road, Billerica, Massachusetts" dated August 2, 2001, prepared by Harry R. Feldman, Inc., Land Surveyors.

AREA 2

PROPOSED REZONING FROM RURAL RESIDENCE TO INDUSTRIAL

A Portion of Parcel 4-1 on Map 30

A certain parcel of land located at the intersection of Treble Cove Road and Winning Road in Billerica, Massachusetts, bounded and described as follows:

Beginning at the intersection of the northerly sideline of Treble Cove Road with the centerline of the travel way of Winning Road;

Thence running N 26(26'53"E, a distance of 57.51 feet along the westerly lot line of Robert L. Holland;

Thence turning and running N 05(40'43"W, a distance of 6.92 feet along said westerly lot line of Holland;

Thence turning and running S 47(49'26"E, a distance of 43.66 feet to a point on the northerly sideline of Treble Cove Road;

Thence turning and running westerly by a curve to the left having a radius of 663.95 feet, a distance of 64.26 feet along said sideline of Treble Cove Road to the point of beginning.

The above described parcel of land contains an area of about 0.03 acres and is a portion of Parcel 4-1 on Assessor's Map 30 and is shown as a portion of Area 2 on a plan entitled "Plan Showing Proposed Zoning Overlay, Winning Road, Billerica, Massachusetts" dated August 2, 2001, prepared by Harry R. Feldman, Inc., Land Surveyors. Submitted by James T. Dangora, Petitioner and Messrs. Morgan, Morgan, Morgan, Annesse, Allen, Dangora and Mesdames McNamara, Balba and Abelli.

ARTICLE 45

To see if the Town will vote to amend the zoning by-laws by rezoning to a Townhouse Overlay District the whole or any part of land owned by Treble Cove Realty, Inc., BM Realty Trust and Circle Finance, Inc. off Treble Cove Road and Winning Road, Assessor's Map 30, Parcel 1; portions of Assessor's Map 30, Parcels 2-1 and 4-1; and a portion of Assessor's Map 21, Parcel 5-8 in said Town bounded and described as follows: Areas 1, 3 and 4 on a plan entitled "Plan Showing Proposed Zoning Overlay, Winning Road, Billerica, MA. dated August 2, 2001, Harry R. Feldman, Inc., Surveyors.

AREA 1

PROPOSED TOWN HOUSE OVERLAY DISTRICT OVER EXISTING NEIGHBORHOOD BUSINESS DISTRICT

Parcel 1 on Map 30

A certain parcel of land located north of Winning Road in Billerica, Massachusetts, bounded and described as follows:

Beginning at the northwest corner of the herein described parcel;

Thence running S 69(12'55"E, a distance of 150.00 feet;

Thence turning and running S 57(57'55"E, a distance of 117.00 feet;

Thence turning and running N 83(17'05"E, a distance of 78.00 feet;

Thence turning and running N 50(02'05"E, a distance of 127.00 feet;

Thence turning and running S 64(12'55"E, a distance of 155.00 feet;

Thence turning and running S 30(12'55"E, a distance of 130.00 feet;

Thence turning and running S 29(12'55"E, a distance of 150.00 feet;

Thence turning and running S 29(42'55"E, a distance of 187.00 feet;

Thence turning and running S 51(47'05"W, a distance of 135.00 feet;

Thence turning and running S 20(17'05"W, a distance of 383.00 feet;

Thence turning and running N 72(12'55"W, a distance of 63.00 feet;

Thence turning and running S 87(17'05"W, a distance of 79.00 feet;
Thence turning and running N 23(27'55"W, a distance of 155.00 feet;
Thence turning and running N 18(38'52"W, a distance of 110.74 feet;
Thence turning and running N 25(12'55"W, a distance of 118.00 feet;
Thence turning and running N 47(42'55"W, a distance of 390.00 feet;
Thence turning and running N 05(17'05"E, a distance of 310.00 feet to the point of beginning.

The above described parcel contains and area of about 9.6 acres and is shown as Parcel 1 on Assessor's Map 30 and as Area 1 on a plan entitled "Plan Showing Proposed Zoning Overlay, Winning Road, Billerica, Massachusetts" dated August 2, 2001, prepared by Harry R. Feldman, Inc., Land Surveyors.

AREA 3

PROPOSED TOWN HOUSE OVERLAY DISTRICT OVER EXISTING RURAL RESIDENCE DISTRICT

A Portion of Parcel 2-1 on Map 30

A certain parcel of land located northeasterly of Winning Road in Billerica, Massachusetts, bounded and described as follows:

Beginning at the southerly most corner of the herein described parcel;
Thence running N 47(49'26"W, a distance of 102.04 feet to a point of curvature;
Thence turning and running northwesterly by a curve to the right having a radius of 40.00 feet, a distance of 11.63 feet to a point of tangency;
Thence running N 31(09'57"W, a distance of 49.77 feet to a point of curvature;
Thence turning and running northwesterly by a curve to the right having a radius of 760.00 feet, a distance of 134.63 feet to a point of tangency;
Thence running N 21(00'58"W, a distance of 100.29 feet;
Thence turning and running N 52(00'37"W, a distance of 493.60 feet;
Thence turning and running N 23(47'58"W, a distance of 442.41 feet;
Thence turning and running N 09(19'47"W, a distance of 248.85 feet to a point on the easterly lot line of Robert L. Holland;
Thence turning and running S 47(42'55"E, a distance of 390.00 feet;
Thence turning and running S 25(12'55"E, a distance of 118.00 feet;
Thence turning and running S 18(38'52"E, a distance of 110.74 feet;
Thence turning and running S 23(27'55"E, a distance of 155.00 feet;
Thence turning and running N 87(17'05"E, a distance of 79.00 feet;
Thence turning and running S 72(12'55"E, a distance of 63.00 feet;
Thence turning and running S 12(32'20"E, a distance of 452.71 feet;
Thence turning and running S 87(16'43"E, a distance of 117.95 feet;
Thence turning and running S 05(40'43"E, a distance of 210.34 feet to the point of beginning.

(the last nine (9) courses being by the easterly lot line of Robert L. Holland)

The above described parcel contains an area of about 4.8 acres and is a portion of Parcel

2-1 on Assessor's Map 30 and is shown as a portion of Area 3 on a plan entitled "Plan Showing Proposed Zoning Overlay, Winning Road, Billerica, Massachusetts" dated August 2, 2001, prepared by Harry R. Feldman, Inc., Land Surveyors.

AREA 3

PROPOSED TOWN HOUSE OVERLAY DISTRICT OVER EXISTING RURAL RESIDENCE DISTRICT

A Portion of Parcel 4-1 on Map 30

A certain parcel of located on the northerly side of Treble Cove Road in Billerica, Massachusetts, bounded and described as follows:

Beginning at a point on the northerly sideline of Treble Cove Road, said point being the southeast corner of the herein described parcel;

Thence running westerly by a curve to the left having a radius of 663.95 feet, a distance of 77.47 feet along said sideline of Treble Cove Road;

Thence turning and running N 47(49'26"W, a distance of 43.66 feet to a point on the westerly lot line of Robert L. Holland;

Thence turning and running N 05(40'43"W, a distance of 210.34 feet;

Thence turning and running N 87(16'43"W, a distance of 117.95 feet;

Thence turning and running N 12(32'20"W, a distance of 452.71 feet;

Thence turning and running N 20(17'05"E, a distance of 383.00 feet;

Thence turning and running N 51(47'05"E, a distance of 135.00 feet;

Thence turning and running N 29(42'55"W, a distance of 187.00 feet;

Thence turning and running N 29(12'55"W, a distance of 150.00 feet;

Thence turning and running N 30(12'55"W, a distance of 130.00 feet;

Thence turning and running N 38(05'28"E, a distance of 158.08 feet;

Thence turning and running N 18(20'25"W, a distance of 57.72 feet;

(the last ten (10) courses being by the westerly lot line of Robert L. Holland)

Thence turning and running N 82(20'18"E, a distance of 85.30 feet;

Thence turning and running S 08(40'43"E, a distance of 1451.45 feet;

Thence turning and running S 81(19'17"W, a distance of 87.89 feet;

Thence turning and running S 08(40'43"E, a distance of 252.48 feet in part by the easterly lot line of Robert L. Holland to the point of beginning.

The above described parcel contains an area of about 7.3 acres and is a portion of Parcel 4-1 on Assessor's Map 30 and is shown as a portion of Area 3 on a plan entitled "Plan Showing Proposed Zoning Overlay, Winning Road, Billerica, Massachusetts" dated August 2, 2001, prepared by Harry R. Feldman, Inc., Land Surveyors.

AREA 4

PROPOSED REZONING FROM INDUSTRIAL TO RURAL RESIDENCE WITH TOWN HOUSES (OVERLAY)

A Portion of Parcel 5-8 on Map 21

A certain parcel of land located north of Winning Road and Treble Cove Road in Billerica, Massachusetts, bounded and described as follows:

Beginning at the westerly most corner of the herein described parcel;
Thence running N 82(20'18"E, a distance of 642.85 feet to a point on the easterly lot line of Circle Finance, Inc;
Thence turning and running S 18(20'25"E, a distance of 57.72 feet;
Thence turning and running S 38(05'28"W, a distance of 158.08 feet;
Thence turning and running N 64(12'55"W, a distance of 155.00 feet;
Thence turning and running S 50(02'05"W, a distance of 127.00 feet;
Thence turning and running S 83(17'05"W, a distance of 78.00 feet;
Thence turning and running N 57(57'55"W, a distance of 117.00 feet;
(the last six (6) courses being by the easterly and southerly lot lines of Circle Finance, Inc.)
Thence turning and running N 69(12'55"W, a distance of 154.22 feet in part by the southerly lot line of Circle Finance, Inc. to the point of beginning.

The above described parcel contains an area of about 1.5 acres and is a portion of Parcel 5-8 on Assessor's Map 21 and is shown as Area 4 on a plan entitled "Plan Showing Proposed Zoning Overlay, Winning Road, Billerica, Massachusetts" dated August 2, 2001, prepared by Harry R. Feldman, Inc., Land Surveyors. Submitted by Stephen J. Lentine, Petitioner and Messrs. McDowell, Noonan, DeCaprio, Mastrullo, Summerlin, Burlamachi, Cunha, and Mesdames Noonan, and Summerlin.

ARTICLE 46

To see if the Town will vote to rezone from an Industrial District to a Self Service Storage Facility Overlay District the whole or any part of land owned by R. J. Kelly Company on Rangeway Road in Billerica, Ma bounded and described as follows:

Description of a portion of Lot 26 to be zoned to Self Service Overlay District. Beginning at an angle point on the northerly sideline of Rangeway Road being 612.24 feet westerly from land of Swanson.

THENCE: by the northerly sideline of Rangeway Road, in two courses;
N86-22-26W – 288.28 feet, S85-56-58W – 97.02 feet to a point at the remaining westerly portion of Lot 26,
THENCE: by the remaining westerly portion of Lot 26, in three courses;
N21-54-50W – 411.08 feet, S71-35-49W – 333.16 feet,
N20-17-17W – 468.79 feet to Lot 25 and land, now or formerly, of Gratten and Rubeski Realty Trust,
THENCE: by Lot 25 in two courses:
N71-59-53E – 257.55 feet, N15-39-36W – 245.29 feet to land, now or formerly, of PIHCORL Realty Trust
THENCE: by land, now or formerly, of PIHCDRL Realty Trust;

N70-48-25E – 751.72 feet to land, now or formerly of Swanson,
 THENCE: by land, now or formerly, of Swanson, in four courses;
 S35-22-40E – 273.32 feet, S 32-08-14E – 219.86 feet,
 S33-13-28E – 150.24 feet, S 32-41-43E – 110.39 feet to the
 remaining easterly portion of Lot 26,
 THENCE: by the remaining easterly portion of Lot 26 in three courses;
 S58-25-07W – 352.91 feet, S77-21-23W – 93.46 feet,
 S12-38-37E – 468.68 feet to the point of beginning,
 Containing 21.79 Acres; or act in relation thereto.
 Submitted by James T. Dangora, Petitioner and Messrs. Morgan, Morgan, Morgan,
 Annese, Allen, Dangora, Jr., and Mesdames McNamara, Balba and Abelli.

ARTICLE 47

To see if the Town will vote to rezone from a Neighborhood Residence District to a General Business District the whole of land owned by Farmer, 192 Tower Farm Road Realty Trust and Farmer 191 Tower Farm Road Realty Trust Boston Road and Tower Farm Road in Billerica, MA., said and described as follows:

Beginning at a point on the easterly sideline of Boston Road at the most southerly point of the parcel at land now or formerly Walter E. Pendleton and Maria T. Bears-Pendelton; thence

N04-06-50W	Four and 12/100 feet (4.12') to a point on the easterly sideline of Boston Road; thence
N06-52-06W	One hundred forty-five and 90/100 feet (145.90') to a point on the easterly sideline of Boston Road, at the corner of Tower Farm Road. Said last two courses are by the easterly Sideline of Boston Road; thence
Northeasterly	Along a curve to the right having a radius of twenty-five and 00/100 (25,00') and a length of thirty-four and 86/100 feet (34.86') to a point; thence
N73-01-19E	Three hundred forty-nine and 66/100 feet (349.66') to point at land now or formerly Farmer 190 Tower Farm Road Realty Trust. Said last two course are by the southerly sideline of Tower Farm Road; thence
S30-43-10E	Sixty-one and 37/100 feet (61.37') to a point, said last course by land of Farmer 190 Tower Farm Road Realty Trust; thence
S47-00-06W	One hundred forty-three and 00/100 feet (143.00') to a point, said last course by land of Amraos & Harjinder, K. Gill; thence
S63-55-39W	Two hundred ninety and 53/100 feet (290.53') to the point of beginning. Said last course by land of Janet L. Malden, Trustee, Janet Realty Trust, George K. Malden Trustee, Advanced Realty Trust and Walter E. Pendelton and Maria T. Bears-Pendelton.

The above described parcel of land contains 50,298 square feet, more or less, and is more particularly shown as Lot 1 and 271 on Plan of land entitled "Rezoning Plan of Land in Billerica, MA., Middlesex County, Date: May 3, 2001, by Noonan & McDowell, Inc., 25 Bridge Suite 6, Billerica, MA.; or act in relation thereto. Submitted by Mark A. Farmer, Petitioner and Messrs. Farmer, Farmer, Sanford, Keaney, Annese and Farmer, Coneeny, Pasho and Sanford.

ARTICLE 48

To see if the Town will vote to rezone from a General Business District to a Garden Style Apartment Residence (Multi-family) District residence district) the whole of land owned by Jack F. and Judith E. Dempsey on Charnstaffe Lane in said Town bounded and described as follows:

Two certain parcels of land with the buildings thereon situated in Billerica, Middlesex County, Commonwealth of Massachusetts bounded and described as follows:

PARCEL I:

Land on Charnstaffe Lane, so-called, as follows:

Beginning at the northeast corner of the premises at a stake at the corner of the wall and the outlet of the drain at land formerly of Paul Holt;

Thence running westerly on said Charnstaffe Lane, 152 feet to a stake and stones:

Thence running southerly at an angle of 92°34', 165 feet to a stake and stones;

Thence running easterly at an angle of 89°, 132 feet to a stone bound;

Thence running northerly at an angle 92°44', 145 feet to a stake;

Thence northwesterly at an angle of 210°36' along a wall 28.5 feet to the point of the beginning.

PARCEL II

Land on Charnstaffe Lane, bounded and described as follows:

Northerly By Charnstaffe Lane, fifty-five and 38/100 (55.38) feet;

Easterly One hundred sixty-five (165) feet;

Northerly One hundred thirty-two and 50/100 (132.50) feet;

Westerly One hundred forty-five and 20/100 (145.20) feet; and

Northwesterly Twenty-eight and 50/100 (28.50) feet by land now or formerly of Jack F. Dempsey, et al;

Northerly By Charnstaffe Lane, seventy and 23/100 (70.23) feet;

Easterly By lands of sundry adjoining owners, three hundred fifty-nine and 16/100 (359.16) feet;

Southerly By land now or formerly of Robert D. McLean, et al, sixty-three and 13/100 (63.13) feet;

Easterly By said land now or formerly of Robert D. McLean, et al, and by land now or formerly of Clarence W. Cunningham, et al, one hundred eighty-one and 33/100 (181.33) feet;

Southerly By said land now or formerly of Clarence W. Cunningham, et al, three hundred eighty-two and 67/100 (382.67) feet;

Westerly	One hundred eighty-eight and 79/100 (188.79) feet;
Northerly	Thirty-three and 60/100 (33.60) feet; and
Westerly	Three hundred seventy-four and 22/100 (374.22) feet by land now or formerly of Ralph I. Hallenburg.

All of said boundaries are determined by the Land Court to be located as shown on a plan drawn by Fleming, Bienvenu & Associates, Inc. Surveyors, dated August 24, 1982, being Plan No. 41196-A, as modified and approved by the Court; or act in relation thereto. Submitted by Chester Sewell Petitioner and Messrs. Kula, Johnson and Mesdames Wood, Amoros, Rongone, Cotes, Raymond, Green and Rogers.

ARTICLE 49

To see if the Town will vote to amend the Zoning Bylaw by deleting all except the first bullet under Section 5.E.1 and deleting all required findings and adding a new bulleted item so that it is changed **From:**

E. USES, BUILDINGS, AND STRUCTURES PERMITTED IN THE OVERLAY ZONING DISTRICTS

A use that is not expressly permitted by right or by special permit is not listed.

1. FLOOD PLAIN OVERLAY DISTRICT

All uses permitted by right or by special permit in the underlying districts are permitted by right or by special permit in the Flood Plain Overlay District subject to all other requirements of the underlying district, and also subject to the following requirements that promote the health and safety of the occupants of lands deemed subject to seasonal or periodic flooding.

- The installation of underground utilities, services, and related appurtenances within the Flood Plain Overlay District shall connect to an existing facility and the post development grades and surface permeability shall remain the same as the predevelopment.
- No building or structure intended for human occupancy, either continuous or intermittent, shall be erected or placed in the Flood Plain District and no filling or paving shall take place in the Flood Plain District unless a special permit is granted by the Board of Appeals.
- An application to the Board of Appeals shall be accompanied by plans of the building or structure, the lot and the adjacent land to the extent required to understand the flooding conditions. Said plans, prior to submission, shall have endorsed thereon the approval of the Board of Health.
- If after 90 days from receipt of said application and properly endorsed plans, the Board of Appeal has failed to act, the Inspector of Buildings may issue a building permit without restrictions under this section of the Zoning By-law.

Required Findings:

- The Board of Health has approved whatever solution is offered to drainage and sewage disposal problems incident to the erection or placement of said building or structure.

- Access to said structure or building is constructed at an elevation sufficiently elevated to ensure that it can be maintained as safe at all times.
- All areas contemplated for use are elevated at least two feet above the expected water level in flood periods for the particular flood plain district as defined by the map of the Flood Plain District
- Fill and foundations are installed in a manner to be safe from erosion and undermining by flood waters.
- The use of the premises will not endanger the health or safety of the occupants thereof, or of other land in the Flood Plain District.
- If in the opinion of the Board of Appeals the proposed development does not comply with the intent and purposes of this section, the Board shall deny the special permit and include a general statement indicating the reasons for the action. The denial with reasons shall be transmitted forthwith to the applicant.

To:

(CHANGES ARE SHOWN IN BOLD ITALICS)

FROM SECTION 5.E.1

1. FLOOD PLAIN OVERLAY DISTRICT

All uses permitted by right or by special permit in the underlying districts are permitted by right or by special permit in the Flood Plain Overlay District subject to all other requirements of the underlying district, and also subject to the following requirements that promote the health and safety of the occupants of lands deemed subject to seasonal or periodic flooding.

- The installation of underground utilities, services, and related appurtenances within the Flood Plain Overlay District shall connect to an existing facility and the post development grades and surface permeability shall remain the same as the predevelopment.
- The Inspector of Buildings may issue a building permit for a use permitted by right and the Board of Appeals may issue a special permit for a use permitted by special permit in the underlying district upon receipt of plans showing the proposed use, building, or structure and including an endorsement of approval from the Board of Health with all conditions of approval from the Board of Health specified on said building or special permit. or act in relation thereto. Submitted by the Billerica Zoning By-law Committee

ARTICLE 50

To see if the Town will vote to amend the Zoning Bylaw by deleting Section 7.I.2 and adding a new Section 7.J so that it is changed

From:

SLOPES

1. The creation or construction of slopes or a series of slopes in excess of one foot rise per three feet of run, otherwise known as a 3:1 slope, and over five feet in height is prohibited.

2. All slopes resulting from the creation or construction of any retaining wall, barrier, and the like, designed to support a parking area, driveway, road, or other vehicular purpose will be defined as a structure and shall be subject to all applicable dimensional controls in this section of the Zoning By-law.

to: *(ALL PROPOSED CHANGES ARE IN BOLD ITALICS)*

I. SLOPES

The creation or construction of slopes or a series of slopes in excess of one foot rise per three feet of run, otherwise known as a 3:1 slope, and over five feet in height is prohibited.

J. WALLS, FENCES, AND RETAINING WALLS

Walls, fences, barriers, retaining walls, and the like over six feet in height shall be considered structures and shall be subject to all applicable dimensional controls in this section of the Zoning By-law.

or act in relation thereto. Submitted by the Billerica Zoning By-law Committee

ARTICLE 51

1. To see if the Town will vote to amend the Zoning By-law to clarify the language under Sections 5.C.1.k(1)(c) and 5.C.1.k(2)(b) to clarify the types of earth migration permitted by right and those permitted by special permit so that those sections are changed

From:

k. *UTILITY USES*

(1) By right:

- (a) Above-ground utilities that are municipal
- (b) Earth migration of less than 500 cubic yards, as certified by a registered professional civil engineer or certified professional land surveyor, for:
 - Construction or repair of roads, utilities, public works, and infrastructure
 - Installation or repair of underground sewage disposal systems
 - Excavation for foundations
- (c) Underground utilities

(2) By special permit:

- (a) Above-ground utilities that are non-municipal

Required Findings:

- The use is not detrimental to the neighborhood
- (b) Earth migration greater than 500 cubic yards

To:

(CHANGES FOR EARTH MIGRATION SHOWN BELOW IN BOLD ITALICS)

FROM SECTION 5.C.1.k

k. *UTILITY USES*

(1) By right:

- (a) Above-ground utilities that are municipal
- (b) Earth migration of less than 500 cubic yards
- (c) ***Earth migration over 500 cubic yards, as certified by a registered professional civil engineer or certified professional land surveyor, for:***
 - ***Construction or repair of roads, utilities, public works, and infrastructure***
 - ***Installation or repair of underground sewage disposal systems***
 - ***Excavation for foundations***
- (d) Underground utilities

(2) By special permit:

- (a) Above-ground utilities that are non-municipal

Required Findings:

- The use is not detrimental to the neighborhood

(b) Other earth migration over 500 cubic yards

Required Findings:

- The use is undertaken only during Monday through Friday, 7:00 AM to 6:00 PM, excluding holidays
- Adequate plans are in place for cleaning of spillage, including provision of the responsible person for remedying spillage together with an address and telephone number
- The site treatment plan is adequate to control dust and mud
- The site plan calls for use of six inches of packed loam and vegetation to be planted on the surfaces of all disturbed areas
- All slopes are created or constructed in the public interest to preserve the health, safety and welfare of the abutters, abutters to abutters, and the public

2. To see if the Town will vote to amend the Zoning By-law to clarify the language under Section 5.F, Table of Use Regulations, to clarify the types of earth migration permitted by right and those permitted by special permit so that the use table is changed

From:	MAIN								SPECIAL				OVERLAY						
UTILITY USES	V	N	RR	G	N	G	C	I	R	D	A	CP	A	FP	H	R	T	E	S
Earth migration of less than 500 cubic yards for: Construction or repair of roads, utilities, public works, and infrastructure Installation or repair of underground sewage disposal systems Excavation for foundations	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	*	*	*	*	*	*
To:	MAIN								SPECIAL				OVERLAY						
UTILITY USES	V	N	RR	G	NB	G	C	I	R	DG	A	CP	A	FP	H	R	T	E	SS
Earth migration of less than 500 cubic yards	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Earth migration over 500 cubic yards for: Construction or repair of roads, utilities, public works, and infrastructure Installation or repair of underground sewage disposal systems Excavation for Foundations	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Other earth migration over 500 cubic yards	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	*	*	*	*	*	*

Or act in relation thereto; Submitted by the Billerica Zoning By-law Committee

ARTICLE 52

To see if the Town will vote to make certain amendments to clarify the green strip requirements under the Zoning by-law as follows:

1. To amend Section 7.G.2 of the Zoning By-law

From:

2. Green Strips shall consist of planted or natural vegetation, including trees, shrubs, grasses, ground cover, and flowers. At least one tree with a minimum diameter of three inches at chest level and eight shrubs per 50 feet of green strip are required. If there is a 10 foot green strip around a building, two shrubs may be substituted for one tree. Ground cover should also be specified and if non-vegetative (bark dust, mulch, stones larger than one foot in diameter, etc.) the depth must be adequate to assure proper cover. The green strip shall not be built on, paved, or parked on, except as otherwise provided in this Zoning By-law.

To:

(CHANGES ARE SHOWN IN BOLD ITALICS)

G. GREEN STRIPS AND SCREENING

2. Green Strips shall consist of planted or natural vegetation, including trees, shrubs, ***grasses, ground cover, and flowers. At least one tree with a minimum diameter of three inches at chest level and eight shrubs per 50 feet of green strip are required. If there is a 10 foot green strip around a building,*** up to 50% of the trees may be replaced with ***two shrubs*** for each ***tree***. ***Ground cover should also be specified and if non-vegetative (bark dust, mulch, stones larger than one foot in diameter, etc.) the depth must be adequate to assure proper cover. The green strip shall not be built on, paved, or parked on, except as otherwise provided in this Zoning By-law.***

2. To add after the YARDS requirements for Garden-style apartment, Section 5.C.4.i.(2)(b), and for Townhouse, Section 5.E.4.b.(1), and for Elderly housing, Section 5.E.5.b.(2)(a), the following green strip requirements:

GREEN STRIPS

- A 25 foot wide green strip shall be provided around the perimeter of the tract, except in the location of curb cuts.
- Green strips shall consist of planted or natural vegetation, including trees, shrubs, grasses, ground cover, and flowers.
- The green strip shall not be built on, paved, or parked on.

or act in relation thereto. Submitted by the Billerica Zoning By-law Committee

ARTICLE 53

To see if the Town will vote to amend the Zoning Bylaw by deleting Section 5.B.3; deleting the words "Unless otherwise provided," from the beginning of Section 5.B.6; and renumbering the subsections of Section 5.B accordingly so that it is changed

From:

SECTION 5. REGULATION OF USES, BUILDINGS, AND STRUCTURES

A. PURPOSE

This section of the Zoning By-law regulates the use of land, buildings, and structures, including reconstruction, extensions, and alterations thereto, within each zoning district.

B. IN GENERAL

1. The following uses are expressly prohibited: fertilizer plants; junk yards; open air storage of junk, salvage, unregistered vehicles, and wastes; race tracks; rendering plants; salvage yards; slaughterhouses; group homes with more than six unrelated persons; manufactured housing; hazardous waste facility; trailer or trailer camps.
2. All other uses not expressly authorized in this Zoning By-law are prohibited.
3. The Special Permit Granting Authority (SPGA) shall be the board designated in the Table of Use Regulations at the end of this Section to issue special permits for particular uses.
4. In all districts, surface runoff rates existing at predevelopment shall not be increased at post-development. When deemed appropriate by the Inspector of Buildings, applicants shall install erosion and siltation control devices so that sediment laden runoff from disturbed surfaces will be filtered onsite to prevent sediment from migrating onto roads, abutters' properties and into Natural Resource Areas, such as floodplains, wetlands, water bodies, and waterways.
5. In all districts, except Residential Districts, screening shall be provided, erected, and maintained to shield business and industrial uses of land and buildings from adjoining residential and municipal lots and shall consist of a solid fence, wall, landscaped earthen barrier, evergreen planting or combination of these elements not less than six feet in height running along the property line. Screening may be reduced to three and one-half feet where it acts to shield an adjacent public way.
6. Unless otherwise provided, any non-residential building with an aggregate sum of 5,000 square feet gross floor area or greater per site, is subject to a site plan approval special permit by the Planning Board. This includes any additions to an existing, non-residential building that increases the aggregate sum of the gross floor area to over 5,000 square feet per site.
7. Any mixed use shall be subject to the most restrictive provisions of all the uses included within the mixed use as determined by the Inspector of Buildings.

To:

SECTION 5. REGULATION OF USES, BUILDINGS, AND STRUCTURES

A. PURPOSE

This section of the Zoning By-law regulates the use of land, buildings, and structures, including reconstruction, extensions, and alterations thereto, within each zoning district.

C. IN GENERAL

1. The following uses are expressly prohibited: fertilizer plants; junk yards; open air storage of junk, salvage, unregistered vehicles, and wastes; race tracks; rendering plants; salvage yards; slaughterhouses; group homes with more than six unrelated persons; manufactured housing; hazardous waste facility; trailer or trailer camps.
2. All other uses not expressly authorized in this Zoning By-law are prohibited.
3. In all districts, surface runoff rates existing at predevelopment shall not be increased at post-development. When deemed appropriate by the Inspector of Buildings, applicants shall install erosion and siltation control devices so that sediment laden runoff from disturbed surfaces will be filtered onsite to prevent sediment from migrating onto roads, abutters' properties and into Natural Resource Areas, such as floodplains, wetlands, water bodies, and waterways.
4. In all districts, except Residential Districts, screening shall be provided, erected, and maintained to shield business and industrial uses of land and buildings from adjoining residential and municipal lots and shall consist of a solid fence, wall, landscaped earthen barrier, evergreen planting or combination of these elements not less than six feet in height running along the property line. Screening may be reduced to three and one-half feet where it acts to shield an adjacent public way.
5. Any non-residential building with an aggregate sum of 5,000 square feet gross floor area or greater per site, is subject to a site plan approval special permit by the Planning Board. This includes any additions to an existing, non-residential building that increases the aggregate sum of the gross floor area to over 5,000 square feet per site.
6. Any mixed use shall be subject to the most restrictive provisions of all the uses included within the mixed use as determined by the Inspector of Buildings.

Or act in relation thereto. Submitted by the Billerica Zoning By-law Committee.

ARTICLE 54

1. To see if the Town will vote to amend the Table of Use Regulations at the end of Section 5 in order to clarify that all non-residential uses over 5,000 S.F. require a site plan special permit by changing the existing use table from **TABLE OF USE REGULATIONS**.

The following Table lists uses permitted by right, uses permitted by special permit, and uses prohibited within each zoning district. All uses permitted by right or by special permit are subject to all applicable regulations set forth in this Zoning By-law.

LEGEND:

Y - uses permitted by right

SZ - uses permitted by special permit with the Zoning Board of Appeals designated as the Special Permit Granting Authority (SPGA)
EXCEPTION: Any nonresidential development with a building over 5000SF, the provisions of 5.B.6 shall apply.

SA - uses permitted by special permit with the Planning Board designated as the SPGA subject to site plan approval by the Planning Board

N - uses that are prohibited

DISTRICT ABBREVIATIONS:

<u>MAIN</u>	<u>MAIN</u>	<u>SPECIAL</u>	<u>OVERLAY</u>
VR - Village Residence	NB - Neighborhood Business	RT - Refuse Transfer Station	FP - Flood Plain
NR - Neighborhood Residence	GB - General Business	DG - Private & Public Dumping Ground Cluster	H - Historic
			RC - Residential
RR - Rural Residence Cluster	C -- Commercial	AD - Alcohol & Drug Rehabilitation Hospital	TH - Townhouse
			EH - Elderly Housing
GR - Garden Style Apartment	I - Industrial	CP - Composting	SS - Self-Service
		AE - Adult Entertainment	

AGRICULTURAL USES	MAIN								SPECIAL					OVERLAY					
	VR	NR	RR	GR	NB	GB	C	I	RT	DG	AD	CP	AE	FP	H	RC	TH	EH	SS
Agriculture	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Facility for sale of product	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Floriculture	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Forestry	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*

Keeping of horses – - 0 on less than 10,000 S.F. - 1 on 10,000 – 19,999 S.F. - 2 on 20,000 – 29,999 S.F. - 3 on 30,000 or more S.F.	Y	Y	Y	N	N	N	N	N	N	N
	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Horticulture										
Viticulture										

BUSINESS USES	MAIN								SPECIAL					OVERLAY					
	VR	NR	RR	GR	NB	GB	C	I	RT	DG	AD	CP	AE	FP	H	RC	TH	EH	SS
Accessory uses to scientific Research or development	N	N	N	N	SZ	SZ	SZ	SZ	N	N	N	N	SZ	*	*	*	*	*	*
Bank	N	N	N	N	Y	Y	N	SZ	N	N	N	N	Y	*	*	*	*	*	*
Dog kennel for 3 – 15 dogs	N	N	N	N	N	SZ	N	N	N	N	N	N	SZ	*	*	*	*	*	*
Funeral home	N	N	N	N	SZ	SZ	N	N	N	N	N	N	SZ	*	*	*	*	*	*
Home occupation	Y	Y	Y	Y	N	N	N	N	N	N	N	N	N	*	*	*	*	*	*
Loan agency	N	N	N	N	Y	Y	Y	Y	N	N	N	N	Y	*	*	*	*	*	*
Offices less than 5,000 S.F.	N	N	N	N	Y	Y	Y	SA	N	N	N	N	Y	*	*	*	*	*	*
Offices over 5,000 S.F.	N	N	N	N	SA	SA	SA	SA	N	N	N	N	SA	*	*	*	*	*	*
Pet shop	N	N	N	N	N	Y	Y	N	N	N	N	N	Y	*	*	*	*	*	*
Personal services	N	N	N	N	Y	Y	Y	Y	N	N	N	N	Y	*	*	*	*	*	*
Research facility	N	N	N	N	SA	SA	SA	SA	N	N	N	N	SA	*	*	*	*	*	*
Tradesman's shop	N	N	N	N	Y	Y	Y	Y	N	N	N	N	Y	*	*	*	*	*	*
Veterinarian	N	N	N	N	N	Y	N	N	N	N	N	N	Y	*	*	*	*	*	*

COMMERCIAL USES	MAIN										SPECIAL					OVERLAY				
	V	R	NR	RR	GR	NB	GB	C	I	RT	DG	AD	CP	AE	FP	H	RC	TH	EH	SS
Adult entertainment establishment	N		N	N	N	N	N	N	N	N	N	N	N	Y	*	*	*	*	*	*
Auto parking	N		N	N	N	N	SZ	SZ	N	N	N	N	N	SZ	*	*	*	*	*	*
Auto repair	N		N	N	N	N	SZ	SZ	N	N	N	N	N	SZ	*	*	*	*	*	*
Auto sales	N		N	N	N	N	SZ	SZ	N	N	N	N	N	SZ	*	*	*	*	*	*
Auto service	N		N	N	N	N	SZ	SZ	N	N	N	N	N	SZ	*	*	*	*	*	*
Auto washing	N		N	N	N	N	SZ	SZ	N	N	N	N	N	SZ	*	*	*	*	*	*
Christmas tree sales	N		N	N	N	Y	Y	N	N	N	N	N	N	Y	*	*	*	*	*	*
Contractor's yard	N		N	N	N	Y	Y	Y	SZ	N	N	N	N	Y	*	*	*	*	*	*

GOVERNMENTAL USES	MAIN							SPECIAL					OVERLAY						
	VR	NR	RR	GR	NB	GB	C	I	RT	DG	AD	CP	AE	FP	H	RC	TH	EH	SS
State	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
County	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Municipal	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

INDUSTRIAL USES	MAIN								SPECIAL					OVERLAY					
	VR	NR	RR	GR	NB	GB	C	I	RT	DG	AD	CP	AE	FP	H	RC	TH	EH	SS
Accessory service and repair	N	N	N	N	N	N	N	SZ	N	N	N	N	N	*	*	*	*	*	*
Automotive sales	N	N	N	N	N	N	N	SZ	N	N	N	N	N	*	*	*	*	*	*
Automotive services	N	N	N	N	N	N	N	SZ	N	N	N	N	N	*	*	*	*	*	*
Composting facilities	N	N	N	N	N	N	N	N	N	N	N	Y	N	*	*	*	*	*	*
Light manufacturing under 5,000 S.F.	N	N	N	N	N	SZ	SZ	Y	N	N	N	N	SZ	*	*	*	*	*	*
Light manufacturing over 5,000 S.F.	N	N	N	N	N	SA	SA	SA	N	N	N	N	SA	*	*	*	*	*	*
Private sewage treatment plant	N	N	N	N	N	N	N	N	SA	N	N	N	N	*	*	*	*	*	*
Refuse composting plant	N	N	N	N	N	N	N	N	N	SA	N	N	N	*	*	*	*	*	*
Refuse incinerator	N	N	N	N	N	N	N	N	N	SA	N	N	N	*	*	*	*	*	*
Refuse transfer station	N	N	N	N	N	N	N	N	SA	N	N	N	N	*	*	*	*	*	*
Residual waste storage	N	N	N	N	N	N	N	N	N	SA	N	N	N	*	*	*	*	*	*
Temp. construction trailer	N	N	N	N	N	Y	N	N	N	N	N	N	Y	*	*	*	*	*	*
Truck terminal	N	N	N	N	N	N	N	N	N	N	N	N	N	*	*	*	*	*	*
Waste treatment plant	N	N	N	N	N	N	N	N	N	SA	N	N	N	*	*	*	*	*	*

PHILANTHROPIC USES	MAIN								SPECIAL					OVERLAY					
	VR	NR	RR	GR	NB	GB	C	I	RT	DG	AD	CP	AE	FP	H	RC	TH	EH	SS
Club	SZ	SZ	SZ	SZ	SZ	SZ	SZ	N	N	N	N	N	SZ	*	*	*	*	*	*
Lodge	SZ	SZ	SZ	SZ	SZ	SZ	SZ	N	N	N	N	N	SZ	*	*	*	*	*	*
Other Philanthropic	SZ	SZ	SZ	SZ	SZ	SZ	SZ	N	N	N	N	N	SZ	*	*	*	*	*	*

RECREATIONAL USES	MAIN							SPECIAL					OVERLAY						
	VR	NR	RR	GR	NB	GB	C	I	RT	DG	AD	CP	AE	FP	H	RC	TH	EH	SS
Antique shows	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Bowling alley	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Conservation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Driving range	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Fairs and bazaars	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Golf course	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	*	*	*	*	*	*
Indoor amusement	N	N	N	N	Y	Y	Y	N	N	N	N	N	Y	*	*	*	*	*	*
Non-municipal athletics	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Other recreational events	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Outdoor recreation	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	*	*	*	*	*	*
Riding stable	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	*	*	*	*	*	*
Swimming pool, non-accessory	SZ	SZ	SZ	SZ	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*

RELIGIOUS USES	MAIN								SPECIAL					OVERLAY					
	VR	NR	RR	GR	NB	GB	C	I	RT	DG	AD	CP	AE	FP	H	RC	TH	EH	SS
For profit	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Non-profit	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*

RESIDENTIAL USES	MAIN							SPECIAL					OVERLAY						
	VR	NR	RR	GR	NB	GB	C	I	RT	DG	AD	CP	AE	FP	H	RC	TH	EH	SS
Accessory residential uses	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N	*	*	Y	*	*	*
Affordable housing on an undersized lot	SZ	SZ	SZ	SZ	N	N	N	N	N	N	N	N	N	*	*	*	*	*	*
Assisted living residence	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	*	*	*	*	*	*
Cluster development	N	N	N	N	N	N	N	N	N	N	N	N	N	*	*	SA	*	*	*
Garden-style apartment	N	N	N	SA	N	N	N	N	N	N	N	N	N	*	*	*	*	*	*
Elderly housing	N	N	N	N	N	N	N	N	N	N	N	N	N	*	*	*	*	SA	*
In-law apartment	SZ	SZ	SZ	SZ	SZ	SZ	N	N	N	N	N	N	SZ	*	*	*	*	*	*
Nursing home	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	*	*	*	*	*	*
Room rental (5 or less)	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	Y	*	*	*	*	*	*
Room rental (5 or more)	SZ	SZ	SZ	SZ	SZ	SZ	N	N	N	N	N	N	SZ	*	*	*	*	*	*
Single family dwelling	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	Y	*	*	*	*	*	*
Storage of more than one vehicle or trailer	SZ	SZ	SZ	SZ	SZ	SZ	N	N	N	N	N	N	SZ	*	*	*	*	*	*

Storage of one vehicle of trailer	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	Y	*	*	*	*	*
Temp. manufactured home while residence is being reconstructed	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*
Townhouse	N	N	N	N	N	N	N	N	N	N	N	N	N	*	*	*	SA	*
Two family dwelling	N	N	N	N	N	N	N	N	N	N	N	N	N	*	*	*	*	*

SERVICE USES	MAIN								SPECIAL					OVERLAY					
	VR	NR	RR	GR	NB	GB	C	I	RT	DG	AD	CP	AE	FP	H	RC	TH	EH	SS
Alcohol and drug rehabilitation hospital	N	N	N	N	N	N	N	N	N	N	Y	N	N	*	*	*	*	*	*
Cemetery	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	*	*	*	*	*	*

UTILITY USES	MAIN								SPECIAL					OVERLAY					
	VR	NR	RR	GR	NB	GB	C	I	RT	DG	AD	CP	AE	FP	H	RC	TH	EH	SS
Above-ground utilities, non-municipal	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	*	*	*	*	*	*
Above-ground utilities, Municipal	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Earth migration of less than 500 cubic yards for: Construction or repair of roads, utilities, public works, and infrastructure	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Installation or repair of underground sewage disposal systems																			
Excavation for foundations																			
Earth migration over 500 cubic yards	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	*	*	*	*	*	*
Underground utilities	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Wireless communications facility	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	*	*	*	*	*	*

* All uses permitted in the underlying District by right or by special permit are permitted by right or by special permit, respectively, in the Overlay District, unless otherwise provided in the Zoning By-law.

To:

TABLE OF USE REGULATIONS

The following Table lists uses permitted by right, uses permitted by special permit, and uses prohibited within each zoning district. All uses permitted by right or by special permit are subject to all applicable regulations set forth in this Zoning By-law.

LEGEND:

Y - uses permitted by right

SZ - uses permitted by special permit with the Zoning Board of Appeals designated as the Special Permit Granting Authority (SPGA)

SA - uses permitted by special permit with the Planning Board designated as the SPGA subject to site plan approval by the Planning Board

N - uses that are prohibited

NOTES:

* All uses permitted in the underlying District by right or by special permit are permitted by right or by special permit, respectively, in the Overlay District, unless otherwise provided in the Zoning By-law.

ALL NON-RESIDENTIAL BUILDINGS FOR A PARTICULAR USE THAT EXCEED 5,000 SQUARE FEET GROSS FLOOR AREA ARE SUBJECT TO A SITE PLAN APPROVAL SPECIAL PERMIT FROM THE PLANNING BOARD

DISTRICT ABBREVIATIONS:

MAIN

VR - Village Residence
NR - Neighborhood Residence
RR - Rural Residence Cluster
GR - Garden Style Apartment

MAIN

NB - Neighborhood Business
GB - General Business
C - Commercial
I - Industrial

SPECIAL

RT - Refuse Transfer Station
DG - Private & Public
Dumping Ground
AD - Alcohol & Drug
Rehabilitation Hospital
CP - Composting
AE - Adult Entertainment

OVERLAY

FP - Flood Plain
H - Historic
RC - Residential
Cluster
TH - Townhouse
EH - Elderly
Housing
SS - Self-Service

AGRICULTURAL USES	MAIN								SPECIAL					OVERLAY					
	V R	NR	RR	GR	NB	GB	C	I	RT	DG	AD	CP	AE	FP	H	RC	TH	EH	SS
Agriculture	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Facility for sale of Product	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Floriculture	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Forestry	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Keeping of horses— -0 on less than 10,000 S.F.	Y	Y	Y	N	N	N	N	N	N	N	N	N	N	*	*	*	*	*	*
-1 on 10,000–19,999 S.F.																			
-2 on 20,000–29,999 S.F.																			
-3 on 30,000 or more S.F.																			
Horticulture	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Viticulture	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*

BUSINESS USES	MAIN								SPECIAL					OVERLAY					
	VR	NR	RR	GR	NB	GB	C	I	RT	DG	AD	CP	AE	FP	H	RC	TH	EH	SS
Accessory uses to Scientific Research or Development	N	N	N	N	SZ	SZ	SZ	SZ	N	N	N	N	SZ	*	*	*	*	*	*
Bank	N	N	N	N	Y	Y	N	SZ	N	N	N	N	Y	*	*	*	*	*	*
Dog kennel for 3-15 Dogs	N	N	N	N	N	SZ	N	N	N	N	N	N	SZ	*	*	*	*	*	*
Funeral home	N	N	N	N	SZ	SZ	N	N	N	N	N	N	SZ	*	*	*	*	*	*
Home occupation	Y	Y	Y	Y	N	N	N	N	N	N	N	N	N	*	*	*	*	*	*
Loan agency	N	N	N	N	Y	Y	Y	Y	N	N	N	N	Y	*	*	*	*	*	*
Offices	N	N	N	N	Y	Y	Y	SA	N	N	N	N	Y	*	*	*	*	*	*
Pet shop	N	N	N	N	N	Y	Y	N	N	N	N	N	Y	*	*	*	*	*	*
Personal services	N	N	N	N	Y	Y	Y	Y	N	N	N	N	Y	*	*	*	*	*	*
Research facility	N	N	N	N	SA	SA	SA	SA	N	N	N	N	SA	*	*	*	*	*	*
Tradesman's shop	N	N	N	N	Y	Y	Y	Y	N	N	N	N	Y	*	*	*	*	*	*

Veterinarian	N	N	N	N	N	Y	N	N	N	Y	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
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Storage of more than One vehicle or trailer	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	N	SZ	N	N	N	N	N	*	*	*	*	*	*
Storage of one vehicle or trailer	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	*	*	*	*	*	*
Temporary manufactured home while residence is being reconstructed	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Townhouse	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	*	*	*	SA	*	*
Two family dwelling	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	*	*	*	*	*	*

SERVICE USES	MAIN								SPECIAL					OVERLAY					
	VR	NR	RR	GR	NB	GB	C	I	RT	DG	AD	CP	AE	FP	H	RC	TH	EH	SS
Alcohol and drug Rehabilitation hospital	N	N	N	N	N	N	N	N	N	N	Y	N	N	*	*	*	*	*	*
Cemetery	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	*	*	*	*	*	*

UTILITY USES	MAIN									SPECIAL						OVERLAY					
	VR	NR	RR	GR	NB	GB	C	I		RT	DG	AD	CP	AE	FP	H	RC	TH	EH	SS	
Above-ground utilities, Non-municipal	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ		SZ	SZ	SZ	SZ	SZ	*	*	*	*	*	*	
Above-ground utilities, Municipal	Y	Y	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y	Y	*	*	*	*	*	*	

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*	*	*	*	*	*	*
*	*	*	*	*	*	*
*	*	*	*	*	*	*

Y	Y	Y	Y	Y	SZ	SZ	Y
Y	Y	Y	Y	Y	SZ	SZ	Y
Y	Y	Y	Y	Y	SZ	SZ	Y
Y	Y	Y	Y	Y	SZ	SZ	Y
Y	Y	Y	Y	Y	SZ	SZ	Y

Earth migration of less than 500 cubic yards for: Construction or repair of roads, utilities, public works, and infrastructure	Y	Y	Y	Y	Y	Y	Y	Y	SZ	SZ	Y	SA
Installation or repair of underground sewage disposal systems	Y	Y	Y	Y	Y	Y	Y	Y	SZ	SZ	Y	SA
Excavation for foundations	Y	Y	Y	Y	Y	Y	Y	Y	SZ	SZ	Y	SA
Earth migration over 500 cubic yards	Y	Y	Y	Y	Y	Y	Y	Y	SZ	SZ	Y	SA
Underground utilities	Y	Y	Y	Y	Y	Y	Y	Y	SZ	SZ	Y	SA
Wireless communications facility	Y	Y	Y	Y	Y	Y	Y	Y	SZ	SZ	Y	SA

To make the following changes to the Zoning By-law to remove all references to uses under or over 5,000 square feet and make appropriate substitutions, renumber or re-letter accordingly, or both:

- amend "Offices that are less than 5,000 square feet gross floor area" from Section 5.C.5.b(1)(c) to "Offices"
- delete "Offices that are over 5,000 square feet gross floor area" from Section 5.C.5.b(2)(c) and re-letter accordingly
- amend "Retail store that is under 5,000 square feet gross floor area" from Section 5.C.5.c(1)(g) to "Retail store"
- delete "Retail store that is over 5,000 square feet gross floor area" from Section 5.C.5.c(2)(d) and re-letter accordingly
- amend "Restaurant that is under 5,000 square feet gross floor area" from Section 5.C.5.c(2)(b) to "Restaurant"
- delete "Restaurant that is over 5,000 square feet gross floor area" from Section 5.C.5.c(2)(c) and re-letter accordingly
- amend "Light manufacturing that is under 5,000 square feet gross floor area" from Section 5.C.6.f(1)(a) to "Light manufacturing"
- delete "Light manufacturing that is over 5,000 square feet gross floor area" from Section 5.C.5.f(1)(b)
- amend "Offices that are under 5,000 square feet gross floor area" from Section 5.C.7.b(1)(b) to "Offices"
- delete "Offices that are over 5,000 square feet gross floor area . . ." from Section 5.C.7.b(2)(b) and re-letter accordingly
- amend "Offices that are under 5,000 square feet gross floor area" from Section 5.C.8.b(2)(c) to "Offices"
- delete "Offices that are over 5,000 square feet gross floor area . . ." from Section 5.C.8.b(2)(d) and re-letter accordingly
- amend "Offices that are less than 5,000 square feet gross floor area" from Section 5.C.5.b(1)(c) to "Offices"
- delete "Offices that are over 5,000 square feet gross floor area" from Section 5.C.5.b(2)(c) and re-letter accordingly
- amend "Restaurant that is under 5,000 square feet gross floor area . . ." from Section 5.C.8.c(2)(e) to "Restaurant"
- delete "Restaurant that is over 5,000 square feet gross floor area" from Section 5.C.8.c(2)(f) and re-letter accordingly
- amend "Retail store that is under 5,000 square feet gross floor area" from Section 5.C.8.c(2)(g) to "Retail store"
- delete "Retail store that is over 5,000 square feet gross floor area" from Section 5.C.8.c(2)(h) and re-letter accordingly
- amend "Light manufacturing under 5,000 square feet gross floor area" from Section 5.C.8.f(1)(a) to "Light manufacturing"
- delete "Light manufacturing that is over 5,000 square feet gross floor area . . ." from Section 5.C.8.f(2)(d)

or take such other action in relation thereto. Submitted by the Billerica Zoning By-law Committee

ARTICLE 55

To see if the Town will vote to amend the Zoning By-law Use Table under Wireless Communications facility to change the SA notation to SP and to add SP to the legend for the Use Table, as follows:

(ADDITION IS SHOWN IN BOLD ITALICS)

F. TABLE OF USE REGULATIONS

The following Table lists uses permitted by right, uses permitted by special permit, and uses prohibited within each zoning district. All uses permitted by right or by special permit are subject to all applicable regulations set forth in this Zoning By-law.

LEGEND:

Y - uses permitted by right

SZ - uses permitted by special permit with the Zoning Board of Appeals designated as the Special Permit Granting Authority (SPGA)

SA - uses permitted by special permit with the Planning Board designated as the SPGA subject to site plan approval by the Planning Board

SP – uses permitted by special permit with the Planning Board designated as the SPGA

N - uses that are prohibited

(THIS USE TABLE CHANGE PROVIDES FOR A SPECIAL PERMIT FROM THE PLANNING BOARD FOR A WIRELESS COMMUNICATIONS FACILITY, SUBJECT TO THE FINDINGS AND SITE PLAN REQUIREMENTS UNDER THE USE, BUT NOT A SITE PLAN SPECIAL PERMIT UNDER SECTION 6 OF THE ZONING BY-LAW)

Wireless Communi- cations Facility	<i>S P</i>	<i>S P</i>	<i>S P</i>	<i>S P</i>	<i>S P</i>	<i>S P</i>	<i>S P</i>	<i>S P</i>	<i>S P</i>	<i>S P</i>	<i>S P</i>	<i>S P</i>	<i>S P</i>	<i>S P</i>	*	*	*	*	*	*
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or act in relation thereto.

Submitted by the Billerica Zoning By-law Committee

ARTICLE 56

1. To see if the Town will vote to amend Sections 5.C.1.c.(1)(a), 5.C.1.c.(2)(a), 5.C.4.c.(1)(a), 5.C.4.c.(2)(a), 5.C.5.c.(1)(c), and 5.C.5.c.(1)(d) “Garaging and Parking of one light commercial vehicle” to “Parking of one light commercial vehicle” and “Garaging and Parking of two light commercial vehicles” to “Parking of two light commercial vehicles” to be changed as follows:

From:

(a) Garaging or parking of one light commercial vehicle

To:

(a) Parking of one light commercial vehicle

and **From:** (a) Garaging or parking of two light commercial vehicles
To: (a) Parking of two light commercial vehicles

2. To see if the Town will amend Section 5.F, Use Table of the Zoning By-law from “Garaging and Parking of one light commercial vehicle” to “Parking of one light commercial vehicle” and to change from “Garaging and Parking of two light commercial vehicles” to “Parking of two light commercial vehicles” so that it is changed

From:

COMMERCIAL USES	MAIN								SPECIAL					OVERLAY					
	VR	NR	RR	MF	NB	GB	C	I	RT	DG	AD	CP	AE	FP	H	RC	TH	EH	SS
Garaging or parking of one light commercial vehicle	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	Y	*	*		*	*	*
Garaging or parking of two light commercial vehicles	SZ	SZ	SZ	SZ	Y	Y	Y	Y	N	N	N	N	Y	*	*	*	*	*	*
Garaging or parking of one heavy commercial vehicle	SZ	SZ	SZ	SZ	SZ	Y	Y	Y	N	N	N	N	Y	*	*	*	*	*	*
Garaging or parking of two or more heavy commercial vehicles	N	N	N	N	N	SZ	Y	Y	N	N	N	N	SZ	*	*	*	*	*	*

To:

COMMERCIAL USES	MAIN							I	SPECIAL					OVERLAY					SS
	VR	NR	RR	MF	NB	GB	C		RT	DG	AD	CP	AE	FP	H	RC	TH	EH	
Parking of one light commercial vehicle	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	Y	*	*	*	*	*	*
Parking of two light commercial vehicles	SZ	SZ	SZ	SZ	Y	Y	Y	Y	N	N	N	N	Y	*	*	*	*	*	*
Garaging or parking of one heavy commercial vehicle	SZ	SZ	SZ	SZ	SZ	Y	Y	Y	N	N	N	N	Y	*	*	*	*	*	*
Garaging or parking of two or more heavy commercial vehicles	N	N	N	N	N	SZ	Y	Y	N	N	N	N	SZ	*	*	*	*	*	*

Or act in relation thereto. Submitted by the Billerica Zoning By-law Committee

ARTICLE 57

To see if the Town will vote to make housekeeping amendments to the Zoning by-law as follows:

(THESE AMENDMENTS (**SHOWN IN BOLD**) ARE HOUSEKEEPING AMENDMENTS THAT AMEND VARIOUS SECTIONS OF THE ZONING BY-LAW)

1. Add the words “building, structure, or” to the definition of ACCESSORY RESIDENTIAL USE in Section 2 of the Zoning By-law so that it is changed

from:

ACCESSORY RESIDENTIAL USE: Any use customarily incidental to the principal residential use, such as a private garage; carport; playhouse; private greenhouse; tool shed; tennis court; storage of one recreational trailer, home utility trailer, boat, and snowmobile; or swimming pool.

to:

ACCESSORY RESIDENTIAL BUILDING, STRUCTURE, OR USE: Any **building, structure**, or use customarily incidental to the principal residential use, such as a private garage; carport; playhouse; private greenhouse; tool shed; tennis court; storage of one recreational trailer, home utility trailer, boat, and snowmobile; or swimming pool.

2. Add in alphabetical order to Section 2 of the Zoning By-Law a definition for ACCESSORY NON-RESIDENTIAL BUILDING, STRUCTURE, OR USE to read as follows:

ACCESSORY NON-RESIDENTIAL BUILDING, STRUCTURE, OR USE: **Any building, structure, or use customarily incidental to the principal non-residential use, such as a shed or mechanical storage building.**

3. Add the word “lot” to the definition of AREA in Section 2 of the Zoning By-law so that it is changed

from:

AREA: Square footage within a lot.

to:

AREA, LOT: Square footage within a lot.

4. Amend the definition of FIRE LANE in Section 2 of the Zoning By-law so that it is changed

from:

FIRE LANE: An open space in which no automotive vehicles may be parked and in which no building or structure may be erected without written permission from the Chief of the Fire Department, except that buildings may be interconnected by

corridors or walkways, if provision is made for access by fire apparatus to all outside walls. The open space shall be between a building and a line parallel to and fifteen feet equidistant from a building.

to:

FIRE LANE: An open space as designated by the Billerica Fire Department for the purposes of fire protection.

5. Add the word “non-profit” to the definition of PHILANTHROPIC in Section 2 of the Zoning By-law so that it is changed

from:

PHILANTHROPIC: A use that promotes social welfare.

to:

PHILANTHROPIC: A **non-profit** use that promotes social welfare.

6. Add the statutory reference to the definition of VARIANCE in Section 2 of the Zoning By-law so that it is changed

from:

VARIANCE: Relief from the non-use requirements of this Zoning By-law.

to:

VARIANCE: Relief from the non-use requirements of this Zoning By-law **as provided for under M.G.L., ch. 40A, § 10, as amended .**

7. Add the following language to the end of Section 4.B.8 of the Zoning By-law so that it is changed

from:

8. Whenever the exact location of a zoning boundary line cannot be precisely determined under the provisions stated above, the identification and location of such boundary line shall be determined by the Planning Board and submitted for Town Meeting approval, subject to any amendments Town Meeting may desire. Until Town Meeting votes, the provisions of the most restrictive Zoning District located on the lot in question shall apply.

to:

8. Whenever the exact location of a zoning boundary line cannot be precisely determined under the provisions stated above, the identification and location of such boundary line shall be determined by the Planning Board and submitted for Town Meeting approval, subject to any amendments Town Meeting may desire. Until Town Meeting votes, the provisions of the most restrictive Zoning District located on the lot in question shall apply. **The zoning districts listed under each of the three categories within the list of Main Districts under Section 3 of this**

Zoning By-law shall start with (1) as the most restrictive zoning district and descend in numbered order to the least restrictive.

8. Add the word “lessor” to Sections 5.C.1.a.(1)(b) and 5.C.4.a.(1)(b) of the Zoning By-law so that it is changed

from:

(b) Facility for the sale of agricultural, floricultural, horticultural, or viticultural produce, so long as the facility is located on a parcel of land that is more than five acres and the majority of the produce sold has been produced by the owner of the land on which the facility is located.

to:

(b) Facility for the sale of agricultural, floricultural, horticultural, or viticultural produce, so long as the facility is located on a parcel of land that is more than five acres and the majority of the produce sold has been produced by the owner **or lessor** of the land on which the facility is located.

9. Change the term SERVICES to SERVICE USES under the following sub-sections of Section 5 of the Zoning By-law to make the terminology consistent throughout Section 5:

C.4.j, C.5.j, C.6.k, C.7.k, D.1.h, D.2.i, D.3.g, D.4.h, and D.5.k.

10. Change the term UTILITIES to UTILITY USES under the following sub-sections of Section 5 of the Zoning By-law to make the terminology consistent throughout Section 5:

C.4.k, C.5.k, C.6.l, C.7.l, D.1.i, D.2.j, D.3.h, D.4.i, and D.5.l.

11. Change the terms SERVICES USES to SERVICE USES under Section 5.8.j of the Zoning By-law.

12. Change the terms UTILITIES USES to UTILITY USES under Section 5.8.k of the Zoning By-law.

13. Delete subsection 5.g.(2)(a) under Section 5 of the Zoning By-law and reletter accordingly so that it is changed

from:

(2) By special permit:

- (a) Earth migration subject to the Required Findings set forth under the Village Residence District
- (b) Golf course subject to the Required Findings set forth under the Village Residence District
- (c) Outdoor recreation subject to the Required Findings set forth under the Village Residence District

- (d) Riding stable subject to the Required Findings set forth under the Village Residence District
- (e) Swimming pool subject to the Required Findings set forth under the Village residence District

to:

(2) By special permit:

- (a) Golf course subject to the Required Findings set forth under the Village Residence District
- (b) Outdoor recreation subject to the Required Findings set forth under the Village Residence District
- (c) Riding stable subject to the Required Findings set forth under the Village Residence District
- (d) Swimming pool subject to the Required Findings set forth under the Village residence District

14. Delete subsection 7.h.(2)(a) under Section 5 of the Zoning By-law and re-letter accordingly so that it is changed

from:

(2) By special permit:

- (a) Earth migration subject to the Required Findings set forth under the General Business District
- (b) Outdoor recreation subject to the Required Findings set forth under the General Business District
- (c) Riding stable subject to the Required Findings set forth under the General Business District

to:

(2) By special permit:

- (a) Outdoor recreation subject to the Required Findings set forth under the General Business District
- (b) Riding stable subject to the Required Findings set forth under the General Business District

15. Amend the second sentence of the first paragraph of Section 5.E.2. HISTORIC OVERLAY DISTRICT to change

from:

2. HISTORIC OVERLAY DISTRICT

All uses permitted by right or by special permit in the underlying districts are permitted by right or by special permit in the Historic Overlay District subject to the below requirements in order to foster development that is both compatible and appropriate within historic areas of the Town.

to:

2. HISTORIC OVERLAY DISTRICT

All uses permitted by right or by special permit in the underlying districts are permitted by right or by special permit in the Historic Overlay District. In order to

foster development that is both compatible and appropriate within historic areas of the Town, **the following dimensional requirements shall apply and shall override the dimensional requirements set forth in this Zoning By-law.**

16. Add the word “approval” after the words “site plan” in the following sections of the Zoning By-law:

6.G.8 and 6.I

17. Amend the first occurrence of the terms “side and rear yards” under Sections 7.D.5 & 6 of the Zoning By-law to “rear yard” so that it is changed

from:

5. In residential districts, uncovered steps in the front and rear yards, bulkheads in the side and rear yards, and eaves in the front yard are not subject to the yard requirements, except that all side yards shall be a minimum of 7 ½ feet, all rear yards shall be a minimum of 20 feet, and all front yards shall be a minimum of 20 feet. Unless a building, structure, or use of a lot is covered by the pre-existing, nonconforming provisions of this Zoning By-law, in which case the minimum yard requirements apply, any other principal building, structure, or use of the lot, whether covered or uncovered, shall maintain a front yard of 35 feet, a side yard of 15 feet, and a rear yard of 20 feet.
6. In all nonresidential districts, EXCEPT Industrial, uncovered steps in the front and rear yards, bulkheads in the side and rear yards, and eaves in the front yard are not subject to the yard requirements, except that all side yards shall be a minimum of 7 ½ feet, all rear yards shall be a minimum of 20 feet, and all front yards shall be a minimum of 20 feet. Unless a building, structure, or use of a lot is covered by the pre-existing, nonconforming provisions of this Zoning By-law, in which case the minimum yard requirements apply, any other principal building, structure, or use of the lot, whether covered or uncovered, including loading platforms, shall maintain a front yard of 50 feet, a side yard of 25 feet, and a rear yard of 35 feet.

to:

5. In residential districts, uncovered steps in the front and rear yards, bulkheads in the **rear yard**, and eaves in the front yard are not subject to the yard requirements, except that all side yards shall be a minimum of 7 ½ feet, all rear yards shall be a minimum of 20 feet, and all front yards shall be a minimum of 20 feet. Unless a building, structure, or use of a lot is covered by the pre-existing, nonconforming provisions of this Zoning By-law, in which case the minimum yard requirements apply, any other principal building, structure, or use of the lot, whether covered or uncovered, shall maintain a front yard of 35 feet, a side yard of 15 feet, and a rear yard of 20 feet.

6. In all nonresidential districts, EXCEPT Industrial, uncovered steps in the front and rear yards, bulkheads in the **rear yard**, and eaves in the front yard are not subject to the yard requirements, except that all side yards shall be a minimum of 7 ½ feet, all rear yards shall be a minimum of 20 feet, and all front yards shall be a minimum of 20 feet. Unless a building, structure, or use of a lot is covered by the pre-existing, nonconforming provisions of this Zoning By-law, in which case the minimum yard requirements apply, any other principal building, structure, or use of the lot, whether covered or uncovered, including loading platforms, shall maintain a front yard of 50 feet, a side yard of 25 feet, and a rear yard of 35 feet.

18. Amend Section 7.J. DIMENSIONAL TABLE of the Zoning By-law by adding a footnote reference (6) under MIN FRONT YARD and MIN SIDE YARD and footnote (6) as follows:

(6) These yards are reduced in the Historic Overlay District.

So that section is changed from:

SEE NEXT PAGE

J. DIMENSIONAL TABLE

DIMENSIONAL REQUIREMENTS

ZONING DISTRICT	MIN LOT AREA	MIN LOT FRONT-AGE	MIN FRONT YARD	MIN SIDE YARD	MIN REAR YARD	MAXIMUM LOT COVER-AGE	MAXIMUM HEIGHT	GREEN STRIP	GREEN SPACE
Village Residence	30,000 S.F.	150 ft.	35 ft.	15 ft.	20 ft.	25%	2 ½ stories or 35 ft.	10 ft. lot per. (2) (non-residential) 75% build. per.	25% (2)
Neighborhood Residence	40,000 S.F.	175 ft.	35 ft.	15 ft.	20 ft.	25%	2 ½ stories or 35 ft.	10 ft. lot per. (2) (non-residential) 75% build. per.	25% (2)
Rural Residence	50,000 S.F.	200 ft.	35 ft.	15 ft.	20 ft.	25%	2 ½ stories or 35 ft.	10 ft. lot per. (2) (non-residential) 75% build. per.	25% (2)
Neighborhood Business	25,000 S.F.	125 ft.	50 ft.	25 ft.	35 ft.	25%	2 ½ stories or 35 ft.	10 ft. lot per. (2) 75% build. per.	25%
General Business	25,000 S.F.	125 ft.	50 ft.	25 ft.	35 ft.	25%	3 stories or 45 ft.	10 ft. lot per. (2) 75% build. per.	25%
Commercial	25,000 S.F.	125 ft.	50 ft.	25 ft.	35 ft.	25%	3 stories or 45 ft.	10 ft. lot per. (2) 75% build. per.	25%
Industrial	60,000 S.F.	150 ft.	100 ft. (4)	35 ft. (1)	50 ft.	50%	45 ft. above grade plane (5)	20 ft. lot per. (2), (3) 75% build. per.	25% (3)

(1) Side yard shall be increased to 50 feet on any lot that abuts land in a residential district.

(2) The green strip and green space requirements in the residential districts apply to nonresidential and nonagricultural uses only and not to principal and accessory residential uses. See subsection G of this section of the Zoning By-law for specific requirements

(3) These requirements also apply in the following special districts: Refuse Transfer Station, Private and Public Dumping Ground, Alcohol and Drug Rehabilitation Hospital, Composting, and Adult Entertainment Districts.

(4) In Industrial Districts, the required front setback may be reduced to 40 feet along industrial roads. This front yard must be used for landscaping, pedestrian walkways, and curb cut access driveways only.

(5) The highest roof surface shall not exceed 55 feet above the grade plane.

To:

J. DIMENSIONAL TABLE

DIMENSIONAL REQUIREMENTS

ZONING DISTRICT	MIN LOT AREA	MIN LOT FRONT-AGE	MIN FRONT YARD (6)	MIN SIDE YARD(6)	MIN REAR YARD	MAXIMUM LOT COVER-AGE	MAXIMUM HEIGHT	GREEN STRIP	GREEN SPACE
Village Residence	30,000 S.F.	150 ft.	35 ft.	15 ft.	20 ft.	25%	2 ½ stories or 35 ft.	10 ft. lot per. (2) (non-residential) 75% build. per.	25% (2)
Neighborhood Residence	40,000 S.F.	175 ft.	35 ft.	15 ft.	20 ft.	25%	2 ½ stories or 35 ft.	10 ft. lot per. (2) (non-residential) 75% build. per.	25% (2)
Rural Residence	50,000 S.F.	200 ft.	35 ft.	15 ft.	20 ft.	25%	2 ½ stories or 35 ft.	10 ft. lot per. (2) (non-residential) 75% build. per.	25% (2)
Neighborhood Business	25,000 S.F.	125 ft.	50 ft.	25 ft.	35 ft.	25%	2 ½ stories or 35 ft.	10 ft. lot per. (2) 75% build. per.	25%
General Business	25,000 S.F.	125 ft.	50 ft.	25 ft.	35 ft.	25%	3 stories or 45 ft.	10 ft. lot per. (2) 75% build. per.	25%
Commercial	25,000 S.F.	125 ft.	50 ft.	25 ft.	35 ft.	25%	3 stories or 45 ft.	10 ft. lot per. (2) 75% build. per.	25%
Industrial	60,000 S.F.	150 ft.	100 ft. (4)	35 ft. (1)	50 ft.	50%	45 ft. above grade plane (5)	20 ft. lot per. (2), (3) 75% build. per.	25% (3)

(1) Side yard shall be increased to 50 feet on any lot that abuts land in a residential district.

(2) The green strip and green space requirements in the residential districts apply to nonresidential and nonagricultural uses only and not to principal and accessory residential uses. See subsection G of this section of the Zoning By-law for specific requirements.

(3) These requirements also apply in the following special districts: Refuse Transfer Station, Private and Public Dumping Ground, Alcohol and Drug Rehabilitation Hospital, Composting, and Adult Entertainment Districts.

(4) In Industrial Districts, the required front setback may be reduced to 40 feet along industrial roads. This front yard must be used for landscaping, pedestrian walkways, and curb cut access driveways only.

(5) The highest roof surface shall not exceed 55 feet above the grade plane.

(6) These yards are reduced in the Historic Overlay District.

19. Delete the terms "facility for" under the Minimum Parking Spaces required for Utilities under Section 8.C.3 of the Zoning By-law.

From:

UTILITIES	
All Utility uses	None, unless the Building Inspector determines that the use requires parking, in which case the use shall comply with the requirements for facility for offices.

To:

UTILITIES	
All Utility uses	None, unless the Building Inspector determines that the use requires parking, in which case the use shall comply with the requirements for offices.

20. Amend the last sentence of Section 8.D by deleting the sentence and replacing it with a new sentence so that it is changed

from:

D. SPECIAL PERMIT

If a use is permitted by right, the Board of Appeals may grant a special permit for an exception to not less than one-half the parking requirements set forth in this section. If a use is permitted by special permit or by site plan approval special permit, the special permit granting authority responsible for permitting the use may also grant a special permit for an exception to not less than one-half the parking requirements set forth in this section. In granting the special permit, a finding shall be made that sufficient open space exists for the required parking should it be necessary to increase parking in the future. In addition, a finding shall be made that the complete development of the required parking area is currently unnecessary before granting the special permit. The special permit may be made subject to subsequent review.

to:

D. SPECIAL PERMIT

If a use is permitted by right, the Board of Appeals may grant a special permit for an exception to not less than one-half the parking requirements set forth in this section. If a use is permitted by special permit or by site plan approval special permit, the special permit granting authority responsible for permitting the use may also grant a special permit for an exception to not less than one-half the parking requirements set forth in this section. In granting the special permit, a finding shall be made that sufficient open space exists for the required parking should it be necessary to increase parking in the future. In addition, a

finding shall be made that the complete development of the required parking area is currently unnecessary before granting the special permit. **Should additional parking become necessary, the special permit may be modified after hearing and notice.**

21. Amend Section 14.C by changing the language

from:

A. USE VARIANCE

No variance may be considered for a use that is not permitted by this Zoning By-law.

to:

A. USE VARIANCE

Use variances are expressly prohibited under this Zoning By-law. If a use is not permitted by right or by special permit, a petitioner may not seek a variance for such use.

22. Amend section 5.C.1.i.(b) to clarify the finding for parking so that it is changed from:

(c) In-law apartment

Required Findings:

- The living quarters are separate, but located in the principal building
- The living quarters do not exceed 800 square feet
- There are no more than two related persons as occupants
- There is sufficient off-street parking for the use
- The principal building in which the use is located retains its single family dwelling appearance
- The use shall not continue upon vacation of the premises by the occupants

to:

Required Findings:

- The living quarters are separate, but located in the principal building
- The living quarters do not exceed 800 square feet
- There are no more than two related persons as occupants
- There is sufficient off-street parking for the use **with no separate, additional driveway allowed for the use**
- The principal building in which the use is located retains its single family dwelling appearance
- The use shall not continue upon vacation of the premises by the occupants

Or act in relation thereto. Submitted by the Billerica Zoning By-law Committee

ARTICLE 58

(REPLACE “GARDEN STYLE APARTMENT” WITH “MULTI-FAMILY”, INCLUDING USE TABLE REFERENCES, AND PROVIDE DEFINITION AMENDMENTS)

- 1. To see if the Town will vote to amend the Zoning By-law by deleting the terms “Garden Style Apartment”, as found in Sections 3.1.a(4), 5.C.5.a(1), 5.C.6.a(1), 5.C.7.a(1), 5.C.8.a(1), 5.D.1.a(1), 5.D.2.a(1), 5.D.3.a(1), 5.D.4.a(1), 5.D.5.a(1), 7.3, and 7.11 and replacing them with the terms “Multi-Family Residence”.**
- 2. To see if the Town will vote to amend the Zoning By-law by deleting “GR-Garden Style Apartment” under Section 5.F TABLE OF USE REGULATIONS, DISTRICT ABBREVIATIONS, and replacing it with “MF-Multi-Family Residence”.**
- 3. To see if the Town will vote to amend the Zoning By-law by deleting all references to “GR” in Section 5.F TABLE OF USE REGULATIONS and replacing it with “MF”.**
- 4. To see if the Town will vote to amend the definition of “Multi-family dwelling” under the “Dwelling Unit” definition of Section 2 of the Zoning By-law**
From:
A building or buildings designed for and occupied exclusively as a residence for two families. A multi-family dwelling includes an apartment.
To:
Any building containing more than two dwelling units.
- 5. To see if the Town will vote to amend Section 2 of the Zoning By-law by adding the following definition for “TOWNHOUSE”:**

TOWNHOUSE: A dwelling unit with finished living space on more than one story.

or act in relation thereto. Submitted by the Billerica Zoning By-law Committee

ARTICLE 59

To see if the Town will amend Section 5.C.4.i(2) of the Zoning By-law to provide consistent provisions with those in the Townhouse Overlay and Elderly Overlay Districts by changing

From:

(2) By special permit:

- (a) All uses permitted by special permit in the Village Residence District
- (b) Garden-style apartment

Requirements for Use:

AREA AND FRONTAGE

- The minimum site size for such use shall be 1.5 acres and the minimum frontage shall be 150 feet.

DENSITY

- Buildings shall not cover more than 30% of the site. At least 40% percent of the site shall be maintained as green space.
- There shall be a minimum distance of 40 feet between residential buildings.
- No open parking or driveway shall be closer than 15 feet to a wall containing windows or habitable rooms.
- A minimum of 7,500 square feet of land shall be required for each dwelling unit. The area used in the calculation shall not include any bordering vegetative wetlands as defined by M.G.L., ch.131, § 40 and by 310 CMR 10.00 nor any flood plain as set forth in the Flood Plain Overlay District provisions of this Zoning By-law. If consistent with Chapter 774, the minimum shall be 6,800 square feet.

YARDS

- On each site there shall be provided a minimum setback of 35 feet from the front lot line, a minimum setback of thirty 30 feet from each of the side lot lines, and a minimum setback of thirty 30 feet from the rear lot lines.
- Where a garden-style apartment development abuts a single-family district, side and rear setbacks shall be increased to 50 feet, which shall be retained in its natural wooded state or landscaped along the perimeter of the site abutting the single-family district. In all cases, a landscaped buffer strip shall be provided so as to protect adjoining properties from the effects of noise, light, air, or visual impact.

HEIGHT

- Garden-style apartment buildings shall not exceed two and one-half stories nor be more than 35 feet in height, provided that no living quarters shall be located below the mean finished grade of the ground adjoining the building, nor above the second story.

PARKING

- There shall be two parking spaces per dwelling unit.

INFRASTRUCTURE

- All sites must be served by the Town water systems.
- All sites must be served by an existing Town sewer, or by an extension of an existing Town sewer line, in which case it requires prior approval of the Board of Selectmen.
- Installation of any sewer line extension, if approved by the Sewer Commission, will be the financial responsibility of the developer, and will be installed in accordance with the specifications provided by the Sewer Commission. Said extension shall be so laid out to serve any residence that it passes.

FIRE LANES

- All buildings shall be surrounded by fire lanes. A fire lane is an open space in which no vehicle may be parked and in which no building, structure, fence, stair, covered or

uncovered porch, cornice, eaves or other building projection may be erected without written permission from the Chief of the Billerica Fire Department, except that buildings may be interconnected by corridors or walkways, if provision is made for access by fire apparatus to all outside walls.

- The space shall be vacant between a building and a line parallel to and 15 feet equidistant from a building.
- The requirement for a fire lane surrounding the structure shall not be construed to mean that paved access surrounding the structure is required. The area may be planted with low plantings of a size that would not impede fire vehicles.

ACCESS ROADS

- All access roads shall be built in accordance with design specifications of the Subdivision Rules and Regulation of the Town of Billerica.

AFFORDABLE HOUSING COMPONENT

- The SPGA may consider the provision of affordable housing (see section 2 definition) as a criterion for the granting of approval under this by-law. Prior to submission of an application for a special permit the applicant shall meet with the Billerica Housing Partnership Committee (BHPC) to discuss provision of affordable housing. A written recommendation from the BHPC shall be required as part of the application. The goal is to include 10% of the proposed units as affordable. The SPGA, in consultation with the BHPC, may modify this goal if it is in the best interest of the town. The Billerica Housing Authority is exempt, because the units under their control are categorically affordable.

Required Findings:

- The use complies with the site plan approval requirements of the Zoning By-law
- The requested use is desirable to the public convenience or welfare
- The requested use will not create or add to undue traffic congestion, or unduly impair pedestrian safety
- The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare
- The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the public health, convenience or welfare
- The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood
- The design and architectural treatment of the use is not incongruous or inappropriate to the character of the neighborhood in which it is proposed to be constructed
- The site plan provides for the convenience and safety of vehicular and pedestrian movement within the site, and in relation to adjacent streets, property or improvement.

To:

(CHANGES ARE SHOWN BELOW IN BOLD ITALICS)

(2) By special permit:

- (a) All uses permitted by special permit in the Village Residence District
- (b) Garden-style apartment

Requirements for Use:

AREA AND FRONTAGE

- The minimum site size for such use shall be 1.5 acres.
- The minimum frontage shall be 150 feet.

DENSITY

- Buildings shall not cover more than 30% of the site.
- At least 40% percent of the site shall be maintained as green space.
- There shall be a minimum distance of 40 feet between residential buildings.
- No open parking or driveway shall be closer than 15 feet to a wall containing *habitable space*.
- A minimum of 7,500 square feet of land shall be required for each dwelling unit. *If consistent with M.G.L. ch. 40B, §§ 20-23 the minimum shall be 6,800 square feet.*
- The area used in the calculation shall not include any bordering vegetative wetlands defined by M.G.L., ch. 131, § 40 and by 310 CMR 10.00 or any flood plain as described in this Zoning By-law.

YARDS

- **On each site there shall be provided a minimum setback of 35 feet from the front lot line, a minimum setback of thirty 30 feet from each of the side lot lines, and a minimum setback of thirty 30 feet from the rear lot lines.**
- Where a garden-style apartment development abuts a single family district, side and rear setbacks shall be increased to 50 feet, which shall be retained in its natural wooded state or landscaped along the perimeter of the site abutting the single family district. In all cases, a landscaped buffer strip shall be provided so as to protect adjoining properties from the effects of noise, light, air ,or visual impact.

HEIGHT

- Garden-style apartment buildings shall not exceed two and one-half stories *or* be more than 35 feet in height, provided that no *habitable space* shall be located below the mean finished grade of the ground adjoining the building *or* above the second story.

PARKING

- There shall be *a minimum of* two parking spaces per dwelling unit.

INFRASTRUCTURE

- All sites must be served by *sewer and water as approved by the appropriate Town board, department, commission, or agent.*
- *All sites shall have fire lanes as designated by the Billerica Fire Department for the purposes of fire protection.*

ACCESS DRIVE

- *All access drives shall be designed and constructed in accordance with the criteria specified by the Billerica Department of Public Works.*

AFFORDABLE HOUSING COMPONENT

- The SPGA may consider the provision of affordable housing (see section 2 definition) as a criterion for the granting of approval under this by-law. Prior to submission of an application for a special permit the applicant shall meet with the Billerica Housing Partnership Committee (BHPC) to discuss provision of affordable housing. A written recommendation from the BHPC shall be required as part of the application. The goal is to include 10% of the proposed units as affordable. The SPGA, in consultation with the BHPC, may modify this goal if it is in the best interest of the town. The Billerica Housing Authority is exempt, because the units under their control are categorically affordable.

DWELLING UNITS

- *Garden-style apartments may be maintained as rental units or may be sold as condominiums. This shall not restrict the allocation of outdoor space adjacent to individual dwelling units for the exclusive use of the occupants of specific dwelling units.*

ACCESSORY BUILDINGS AND STRUCTURES

- *Swimming pools, garages, and all accessory uses, buildings and structures that are part of a garden-style apartment development shall comply with the green strip and setback requirements of the Zoning By-law.*
- *A community building for meetings and social activities of the residents shall be permitted, but shall not exceed 2,000 square feet of gross floor area and shall comply with all green strip and setback requirements of the Zoning By-law.*
- *All accessory uses, buildings and structures shall provide adequate parking.*

Required Findings:

- The use complies with the site plan approval requirements of the Zoning By-law
- The requested use is desirable to the public convenience or welfare
- *The requested use provides for the convenience and safety of vehicular and pedestrian movement within the site, and in relation to adjacent streets, property, and improvements*
- The requested use will not create or add to undue traffic congestion, or unduly impair pedestrian safety
- The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.
- The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the public health, convenience or welfare

- The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood
 - The design and architectural treatment of the use is not incongruous or inappropriate to the character of the neighborhood in which it is proposed to be constructed
 - ***There is an adequate landscape buffer strip provided to protect adjoining properties from the effects of noise, lights, air, or visual impact***
 - ***No building or access facilities shall be placed on any portion of the land determined by the Board of Health to be unsuitable for such construction***
- or act in relation thereto. Submitted by the Billerica Zoning By-law Committee

ARTICLE 60

To see if the Town will amend Sections 5.E.4 and 5.E.5 of the Zoning By-law to provide consistent requirements for garden-style apartment developments, townhouse developments, and elderly housing developments by changing

From:

(ALL CHANGES ARE IN BOLD ITALICS)

4. TOWNHOUSE OVERLAY DISTRICT

- All uses permitted by right or by special permit in the underlying districts are permitted by right or by special permit in the Townhouse Overlay District.
- In addition, the following RESIDENTIAL use is permitted by special permit:
 - (1) Townhouse

Requirements for Use:

OVERLAY APPLICATION

- The Townhouse Overlay District may be applied to the Village Residence, Neighborhood Residence, Rural Residence, Neighborhood Business, and General Business Districts.

AREA AND FRONTAGE

- The site shall have not less than five contiguous acres of land.
- The minimum frontage shall be not less than 150 feet.

SITE COVERAGE AND DESIGN RESTRICTIONS

- Buildings shall not cover more than 30% of the site.
- At least 40% of the site shall be maintained as green space as required by the Zoning By-law.
- There shall be a minimum distance of 40 feet between two residential buildings or groups of townhouses on the same site
- Townhouse rows shall consist of a minimum of three units and a maximum of 10 units.
- Each townhouse dwelling unit shall be a minimum of 18 feet wide.
- No open parking or driveway shall be closer than 15 feet to a wall containing windows or habitable rooms.
- Townhouses may be maintained as rental units or may be sold as condominiums. Townhouse units may not be sold as row houses with their own individual sites. This

shall not restrict the allocation of outdoor space adjacent to individual dwelling units for the exclusive use of the occupants of specific dwelling units.

- Swimming pools or any other structure, other than a dwelling, garages, community building, and all accessory structures that are part of a townhouse development shall comply with the green strip, setback, and parking requirements of the Zoning By-law.
- Garages and a community building for meetings and social activities of the residents shall be permitted, but shall not exceed 2,000 square feet of gross floor area and shall comply with all green strip and setback requirements of the Zoning By-law.

YARDS

- On each site there shall be provided a minimum setback of 35 feet from the front property line.
- The side and rear setbacks shall be 50 feet or 25 feet, which shall be retained in its natural, wooded state or landscaped along the perimeter of the side and may include easements (paved or otherwise) dedicated for public recreational purposes.
- A landscape buffer strip shall be provided so as to protect adjoining properties from the effects of noise, lights, air, or visual impact.

HEIGHT

- Townhouse buildings shall not exceed two and one-half stories or be more than 35 feet in height, provided that no living quarters shall be located below the mean finished grade of the ground adjoining the building or above the second story.

DENSITY

- A minimum of 7,500 square feet of land shall be required for each dwelling unit. If consistent with Chapter 774 the minimum shall be 6,800 square feet.
- The area used in the calculation shall not include any bordering vegetative wetlands defined by M.G.L., ch. 131, § 40 and by 310 CMR 10.00 or any flood plain as described in this Zoning By-law.

PARKING

- There shall be a minimum of two parking spaces per dwelling unit.
- A minimum of 25% of the dwelling units shall have garages.
- The parking space within garages shall count towards the two parking spaces per dwelling unit requirement.
- Driveways leading to garages shall be at least 24 feet long.

SEWER AND WATER

- All sites must be served by the Town water systems.
- All sites must be served by an existing Town sewer, or by an extension of an existing Town sewer line approved by the Board of Selectmen, or by a private septic system approved by the Board of Health.
- Installation of any new sewer line extension, if approved by the Sewer Commission, shall be the financial responsibility of the developer and will be installed in accordance with the specifications provided by the Sewer Extension Commission. Said extension shall be so laid out to serve any residence it passes.

FIRE LANES

- All buildings shall be surrounded by fire lanes.
- The fire lane shall remain an open space and no vehicle may be parked in the lane and no building, structure, fence, stair, covered or uncovered porch, cornice, eaves, or other building projection may be located in or erected in the fire lane without permission from the Chief of the Billerica Fire Department, except that buildings may be interconnected by corridors or walkways, if provision is made for access by fire apparatus to all outside walls.
- The fire lane space shall be vacant between a building and a line parallel to and 15 feet equidistant from a building.

ACCESS ROADS

- All access roads shall be built in accordance with design specifications of the Town's Department of Public Works.

AFFORDABLE HOUSING COMPONENT

- The SPGA may consider the provision of affordable housing (see section 2 definition) as a criterion for the granting of approval under this by-law. Prior to submission of an application for a special permit the applicant shall meet with the Billerica Housing Partnership Committee (BHPC) to discuss provision of affordable housing. A written recommendation from the BHPC shall be required as part of the application. The goal is to include 10% of the proposed units as affordable. The SPGA, in consultation with the BHPC, may modify this goal if it is in the best interest of the town.

Required Findings:

- The use complies with the site plan approval requirements of the Zoning By-law.
- The requested use is desirable to the public convenience or welfare.
- The requested use provides for the convenience and safety of vehicular and pedestrian movement within the site, and in relation to adjacent streets, property, and improvements.
- The requested use will not create or add to the undue traffic congestion, or unduly impair pedestrian safety.
- The requested use will not overload any public water, drainage, or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.
- The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the public health, convenience, or welfare.
- The requested use will not, by its addition to a neighborhood cause an excess of that particular use that could be detrimental to the character of said neighborhood in which it is proposed to be constructed.
- The design and architectural treatment of the use is not incongruous or inappropriate to the character of the neighborhood in which it is proposed to be constructed.
- There is an adequate landscape buffer strip provided to protect adjoining properties from the effects of noise, lights, air, or visual impact.

- No building or access facilities shall be placed on any portion of the land determined by the Board of Health to be unsuitable for such construction.

To:

4. TOWNHOUSE OVERLAY DISTRICT

- All uses permitted by right or by special permit in the underlying districts are permitted by right or by special permit in the Townhouse Overlay District.
- In addition, the following RESIDENTIAL use is permitted by special permit:
 - (1) Townhouse

Requirements for Use:

OVERLAY APPLICATION

- The Townhouse Overlay District may be applied to the Village Residence, Neighborhood Residence, Rural Residence, Neighborhood Business, and General Business Districts.

AREA AND FRONTAGE

- The site shall have not less than *five contiguous acres*.
- The minimum frontage shall be 150 feet.

DENSITY

- Buildings shall not cover more than 30% of the site.
- At least 40% of the site shall be maintained as green space.
- There shall be a minimum distance of **30** feet between two residential buildings or groups of townhouses on the same site
- Townhouse rows shall consist of a minimum of three units and a maximum of *six* units.
- Each townhouse dwelling unit shall be a minimum of 18 feet wide.
- No open parking or drive shall be closer than 15 feet to a wall containing *habitable space*.
- A minimum of 7,500 square feet of land shall be required for each dwelling unit. If consistent with *M.G.L. ch. 40B, §§ 20-23* the minimum shall be 6,800 square feet.
- The area used in the calculation shall not include any bordering vegetative wetlands defined by M.G.L., ch. 131, § 40 and by 310 CMR 10.00 or any flood plain as described in this Zoning By-law.

YARDS

- *On each site there shall be provided a minimum setback of 35 feet from the front lot line, a minimum setback of 30 feet from each of the side lot lines, and a minimum setback of 30 feet from the rear lot lines.*
- Where a townhouse development abuts a single family district, side and rear setbacks shall be increased to 50 feet, which shall be retained in its natural wooded state or landscaped along the perimeter of the site abutting the single family district. In all

cases, a landscaped buffer strip shall be provided so as to protect adjoining properties from the effects of noise, light, air, or visual impact.

HEIGHT

- *Townhouse buildings shall not exceed two and one-half stories or be more than 35 feet in height above the mean finished grade of the ground adjoining the building or above the second story.*

PARKING

- There shall be a minimum of two parking spaces per dwelling unit.
- A minimum of 25% of the dwelling units shall have garages.
- The parking space within garages shall count towards the two parking spaces per dwelling unit requirement.
- *Drives leading to garages shall count towards the two parking spaces per dwelling, provided the drive is at least 24 feet long. No parking shall be permitted on any drive that is not a minimum of 24 feet long.*

INFRASTRUCTURE

- *All sites must be served by sewer and water as approved by the appropriate Town board, department, commission, or agent.*
- *All sites shall have fire lanes as designated by the Billerica Fire Department for the purpose of fire protection.*

ACCESS DRIVE

- *All access drives shall be designed and constructed in accordance with the criteria specified by the Billerica Department of Public Works.*

AFFORDABLE HOUSING COMPONENT

- The SPGA may consider the provision of affordable housing (see section 2 definition) as a criterion for the granting of approval under this by-law. Prior to submission of an application for a special permit the applicant shall meet with the Billerica Housing Partnership Committee (BHPC) to discuss provision of affordable housing. A written recommendation from the BHPC shall be required as part of the application. The goal is to include 10% of the proposed units as affordable. The SPGA, in consultation with the BHPC, may modify this goal if it is in the best interest of the town.

DWELLING UNITS

- Townhouses may be maintained as rental units or may be sold as condominiums. Townhouse units may not be sold as row houses with their own individual sites. This shall not restrict the allocation of outdoor space adjacent to individual dwelling units for the exclusive use of the occupants of specific dwelling units.

ACCESSORY BUILDINGS AND STRUCTURES

- Swimming pools, garages, and all accessory uses, buildings and structures that are part of a townhouse development *shall comply with the green strip and setback requirements of the Zoning By-law.*

- Garages and a community building for meetings and social activities of the residents shall be permitted, but shall not exceed 2,000 square feet of gross floor area and shall comply with all green strip and setback requirements of the Zoning By-law.
- All accessory uses, buildings and structures shall provide adequate parking.

Required Findings:

- The use complies with the site plan approval requirements of the Zoning By-law.
- The requested use is desirable to the public convenience or welfare.
- The requested use provides for the convenience and safety of vehicular and pedestrian movement within the site, and in relation to adjacent streets, property, and improvements.
- The requested use will not create or add to the undue traffic congestion, or unduly impair pedestrian safety.
- The requested use will not overload any public water, drainage, or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.
- The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the public health, convenience, or welfare.
- The requested use will not, by its addition to a neighborhood cause an excess of that particular use that could be detrimental to the character of said neighborhood in which it is proposed to be constructed.
- The design and architectural treatment of the use is not incongruous or inappropriate to the character of the neighborhood in which it is proposed to be constructed.
- There is an adequate landscape buffer strip provided to protect adjoining properties from the effects of noise, lights, air, or visual impact.
- No building or access facilities shall be placed on any portion of the land determined by the Board of Health to be unsuitable for such construction.

And by changing from:

5. ELDERLY HOUSING OVERLAY DISTRICT

- a. All uses permitted by right or by special permit in the underlying districts are permitted by right or by special permit in the Elderly Housing Overlay District.
- b. In addition, the following RESIDENTIAL uses are permitted:
 - (1) By right:
 - (a) Accessory residential uses
 - (2) By special permit:
 - (a) Elderly housing for purposes of providing people over 55 years of age the opportunity to live in a development designed specifically for their needs, equipped with the appropriate amenities and located within reasonable proximity to shopping and services.

Requirements for Use:

OVERLAY APPLICATION

- The Elderly Housing Overlay District may be applied to the Village Residence, Neighborhood Residence, Rural Residence, Neighborhood Business, and General Business Districts.

AREA AND FRONTAGE

- The site shall have not less than five contiguous acres of land and not less than 150 feet of frontage.

YARDS

- On each site there shall be provided a minimum setback of 35 feet from the front lot line, a minimum setback of 30 feet from each of the side lot lines, and a minimum setback of 30 feet from the rear lot lines.
- If an Elderly Housing Overlay District development abuts a single-family district, the side and rear setbacks shall be increased to 85 feet, of which 25 feet shall be retained in its natural wooded state or landscaped along the perimeter of the site abutting the single family district. In all cases, a landscaped buffer strip shall be provided so as to protect adjoining properties from the effects of noise, lights, air, or visual impact.
- There shall be no structures, retaining walls, covered or uncovered porches, steps or paving within the buffer zone.

HEIGHT

- Buildings and structures shall not exceed two and one-half stories or be more than 35 feet in height, provided that no living quarters shall be located below the mean finished grade of the ground adjoining the building or above the second story.

DENSITY

- A minimum of 7,500 square feet of land shall be required for each dwelling unit
- The area used in the calculation shall not include any bordering vegetative wetlands defined by M.G.L., ch. 131, § 40 and by 310 CMR 10.00 or any flood plain as described in this Zoning By-law.

SEWER AND WATER

- All sites must be served by the Town water systems.
- All sites must be served by an existing Town sewer, or by an extension of an existing Town sewer line approved by the Board of Selectmen, or by a private septic system approved by the Board of Health.
- Installation of any new sewer line extension, if approved by the Sewer Commission, shall be the financial responsibility of the developer and will be installed in accordance with the specifications provided by the Sewer Extension Commission. Said extension shall be so laid out to serve any residence it passes.

PARKING

- There shall be a minimum of two parking spaces per dwelling unit.
- A minimum of 25% of the dwelling units shall have garages.
- The parking space within these garages shall count towards the two parking spaces per dwelling unit requirement.

ADDITIONAL REQUIREMENTS

- Each dwelling unit shall have no more than two bedrooms and all exterior and interior doorways shall be appropriately wide for wheelchair access, following the applicable codes and guidelines.
- Buildings shall not cover more than 30% of the site.
- At least 40% of the site shall be maintained as green space as required by the Zoning By-law.
- There shall be a minimum distance of 40 feet between two residential buildings or groups of buildings on the same site
- No open parking or driveway shall be closer than 15 feet to a wall containing windows or habitable rooms.
- Swimming pools or any other structure, other than a dwelling, garages, community building, and all accessory structures that are part of an elderly housing development shall comply with the green strip, setback, and parking requirements of the Zoning By-law.
- Garages and a community building for meetings and social activities of the residents shall be permitted, but shall not exceed 2,000 square feet of gross floor area and shall comply with all green strip and setback requirements of the Zoning By-law.

YARDS

- On each site there shall be provided a minimum setback of 35 feet from the front property line.
- The side and rear setbacks shall be 50 feet or 25 feet, which shall be retained in its natural, wooded state or landscaped along the perimeter of the side and may include easements (paved or otherwise) dedicated for public recreational purposes.
- A landscape buffer strip shall be provided so as to protect adjoining properties from the effects of noise, lights, air, or visual impact.

DEED RESTRICTIONS

- Deed restrictions shall be placed on the entire site and shall be referenced in all leases as applicable, requiring that all residents, with the exception of spouses and/or caregivers, shall have reached the age of 55. These restrictions shall be reviewed by Town Counsel for acceptance. The cost of such review shall be the responsibility of the applicant.

FIRE LANES

- All buildings shall be surrounded by fire lanes.
- The fire lane shall remain an open space and no vehicle may be parked in the lane and no building, structure, fence, stair, covered or uncovered porch, cornice, eaves, or other

building projection may be located in or erected in the fire lane without permission from the Chief of the Billerica Fire Department, except that buildings may be interconnected by corridors or walkways, if provision is made for access by fire apparatus to all outside walls.

- The requirement for a fire lane surrounding a building shall not be construed to mean that paved access surrounding the building is required. The area may be planted with low plantings of a size that would not impede a fire vehicle.
- The fire lane space shall be vacant between a building and a line parallel to and 15 feet equidistant from a building.

ACCESS ROADS

- All access roads shall be built in accordance with design specifications of the Town's Department of Public Works.

AFFORDABLE HOUSING COMPONENT

- The SPGA may consider the provision of affordable housing (see section 2 definition) as a criterion for the granting of approval under this by-law. Prior to submission of an application for a special permit the applicant shall meet with the Billerica Housing Partnership Committee (BHPC) to discuss provision of affordable housing. A written recommendation from the BHPC shall be required as part of the application. The goal is to include 10% of the proposed units as affordable. The SPGA, in consultation with the BHPC, may modify this goal if it is in the best interest of the town.

Required Findings:

- The use complies with the site plan approval requirements of the Zoning By-law.
- The requested use is desirable to the public convenience or welfare.
- The requested use provides for the convenience and safety of vehicular and pedestrian movement within the site, especially affecting the elderly, and in relation to adjacent streets, property, and improvements.
- The requested use will not overload any public water, drainage, or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.
- The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the public health, convenience, or welfare.
- The requested use will not, by its addition to a neighborhood cause an excess of that particular use that could be detrimental to the character of said neighborhood in which it is proposed to be constructed.
- The design and architectural treatment of the use is not incongruous or inappropriate to the character of the neighborhood in which it is proposed to be constructed.
- There is an adequate landscape buffer strip provided to protect adjoining properties from the effects of noise, lights, air, or visual impact.
- No building or access facilities shall be placed on any portion of the land determined by the Board of Health to be unsuitable for such construction.

To:

5. ELDERLY HOUSING OVERLAY DISTRICT

- a. All uses permitted by right or by special permit in the underlying districts are permitted by right or by special permit in the Elderly Housing Overlay District.
- b. In addition, the following RESIDENTIAL uses are permitted:
 - (1) By right:
 - (a) Accessory residential uses
 - (2) By special permit:
 - (a) Elderly housing for purposes of providing people over 55 years of age the opportunity to live in a development designed specifically for their needs, equipped with the appropriate amenities and located within reasonable proximity to shopping and services.

Requirements for Use:

OVERLAY APPLICATION

- The Elderly Housing Overlay District may be applied to the Village Residence, Neighborhood Residence, Rural Residence, Neighborhood Business, and General Business Districts.

AREA AND FRONTAGE

- The site shall have not less than five contiguous acres of land
- The minimum frontage shall be 150 feet.

DENSITY

- Buildings shall not cover more than 30% of the site.
- At least 40% percent of the site shall be maintained as green space.
- There shall be a minimum distance of **30** feet between residential buildings.
- No open parking or driveway shall be closer than 15 feet to a wall containing habitable space.
- A minimum of 7,500 square feet of land shall be required for each dwelling unit. *If consistent with M.G.L. ch. 40B, §§ 20-23 the minimum shall be 6,800 square feet.*
- The area used in the calculation shall not include any bordering vegetative wetlands defined by M.G.L., ch. 131, § 40 and by 310 CMR 10.00 or any flood plain as described in this Zoning By-law.

YARDS

- **On each site there shall be provided a minimum setback of 35 feet from the front lot line, a minimum setback of thirty 30 feet from each of the side lot lines, and a minimum setback of thirty 30 feet from the rear lot lines.**
- **Where an elderly housing development abuts a single family district, side and rear setbacks shall be increased to 50 feet, which shall be retained in its natural wooded state or landscaped along the perimeter of the site abutting the single family district. In all cases, a landscaped buffer strip shall be provided so as to protect adjoining properties from the effects of noise, light, air, or visual impact.**

HEIGHT

- Buildings and structures *located in an elderly housing development* shall not exceed two and one-half stories or be more than 35 feet in height, provided that no living quarters shall be located below the mean finished grade of the ground adjoining the building or above the second story.

PARKING

- There shall be a minimum of two parking spaces per dwelling unit.
- A minimum of 25% of the dwelling units shall have garages.
- The parking space within these garages shall count towards the two parking spaces per dwelling unit requirement.

INFRASTRUCTURE

- *All sites must be served by sewer and water as approved by the appropriate Town board, department, commission, or agent.*
- *All sites shall have fire lanes as designated by the Billerica Fire Department for the purposes of fire protection.*

ACCESS DRIVE

- *All access drives shall be designed and constructed in accordance with the criteria specified by the Billerica Department of Public Works.*

AFFORDABLE HOUSING COMPONENT

- The SPGA may consider the provision of affordable housing (see section 2 definition) as a criterion for the granting of approval under this by-law. Prior to submission of an application for a special permit the applicant shall meet with the Billerica Housing Partnership Committee (BHPC) to discuss provision of affordable housing. A written recommendation from the BHPC shall be required as part of the application. The goal is to include 10% of the proposed units as affordable. The SPGA, in consultation with the BHPC, may modify this goal if it is in the best interest of the town. The Billerica Housing Authority is exempt, because the units under their control are categorically affordable.

DWELLING UNITS

- Each dwelling unit shall have no more than two bedrooms and all exterior and interior doorways shall be appropriately wide for wheelchair access, following the applicable codes and guidelines.
- *Elderly housing dwellings may be maintained as rental units or may be sold as condominiums. This shall not restrict the allocation of outdoor space adjacent to individual dwelling units for the exclusive use of the occupants of specific dwelling units.*

ACCESSORY BUILDINGS AND STRUCTURES

- *Swimming pools, garages, and all accessory uses, buildings and structures that are part of the elderly housing development shall comply with the green strip and setback requirements of the Zoning By-law.*

- Garages and a community building for meetings and social activities of the residents shall be permitted, but shall not exceed 2,000 square feet of gross floor area and shall comply with all green strip and setback requirements of the Zoning By-law.
- *All accessory uses, buildings and structures shall provide adequate parking.*

DEED RESTRICTIONS

- Deed restrictions shall be placed on the entire site and shall be referenced in all leases as applicable, requiring that all residents, with the exception of spouses and/or caregivers, shall have reached the age of 55. These restrictions shall be reviewed by Town Counsel for acceptance. The cost of such review shall be the responsibility of the applicant.

Required Findings:

- The use complies with the site plan approval requirements of the Zoning By-law
 - The requested use is desirable to the public convenience or welfare
 - The requested use provides for the convenience and safety of vehicular and pedestrian movement within the site, and in relation to adjacent streets, property, and improvements
 - The requested use will not create or add to undue traffic congestion, or unduly impair pedestrian safety
 - The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.
 - The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the public health, convenience or welfare
 - The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood
 - The design and architectural treatment of the use is not incongruous or inappropriate to the character of the neighborhood in which it is proposed to be constructed
 - There is an adequate landscape buffer strip provided to protect adjoining properties from the effects of noise, lights, air, or visual impact
 - No building or access facilities shall be placed on any portion of the land determined by the Board of Health to be unsuitable for such construction
 - The requested use will not, by its addition to a neighborhood cause an excess of that particular use that could be detrimental to the character of said neighborhood in which it is proposed to be constructed. Or take such other action in relation thereto.
- Submitted by the Billerica Zoning By-law Committee

ARTICLE 61

To see if the Town will vote to amend the Zoning By-law by deleting Section 9 concerning Signs and Lighting and replacing it with a new Section 9 so that it is changed

From:

SECTION 9. SIGNS AND LIGHTING

A. ADMINISTRATION

1. Applicability: All outdoor signs and window signs are subject to the regulations of this by-law unless specifically excluded in Section 9.B.1.
2. Application: All persons desiring to erect, modify or recover a sign shall apply to the Building Commissioner for a sign permit, except that persons desiring to erect a sign in accordance with Section 9.B.2, 9.B.4, 9.C, or 9.D.2 need not apply for a permit.

Amended: Art. 44, ASTM, 5/7/91; Eff. 5/30/91

All applications for permits shall include, at least, a drawing to scale showing the following:

- a. The proposed sign including the proposed size, shape, location, coloring and lettering.
 - b. All existing signs maintained on the premises
 - c. A plot plan and a sketch of the building facade indicating the location of the proposed and any existing signs.
 - d. Specifications for construction, lighting and wiring in accordance with the State Building Code.
3. Building Commissioner Action: The Building Commissioner shall issue a building permit and assign a unique serialized sign number, where the first two digits represent the year of issue of the sign permit, provided the proposed sign complies with this by-law, the state Building Code, and other applicable laws, by-laws or regulations.
 4. Sign SPGA: The Special Permit Granting Authority noted in Section 9 - Sign Regulations, is the Board of Appeal.
 5. Special Permits: In particular instances the SPGA may issue special permits for signs provided for herein under SPGA authority if it is determined that the architecture of the building, the location of the building with reference to the street or the need to identify establishments by their address and street number or the nature of the establishment is such that the sign should be permitted in the Public Interest. In granting such permission, the SPGA shall specify the size and location of the sign or signs and impose such other terms and restrictions as it may deem to be in the Public Interest. Any application under this provision shall provide the information required in Section 9.A.2 above and specific information in the form of perspectives, renderings, photographs or other representations sufficient to show the nature of the proposed sign, its effects on the immediate surroundings and the reasons for allowing it. Special permits under this section are granted subject to the provisions of Section 13 of the Billerica Zoning By-Law.

Amended: Art. 26, AFTM, 10/6/92 Eff. 10/15/9

B. GENERAL REGULATIONS

The provisions of Section 9.B shall apply to all signs in all zoning districts. Additional specific regulations for Residential, Business and Industrial Districts are set forth in Sections 9.C and 9.D respectively.

1. Government or Special Signs: Any sign owned and installed by a government agency, or required by any law, governmental order or regulation is not subject to

this by-law. Signs mounted on registered motor vehicles are not subject to this by-law, except vehicles or trailers whose principal purpose is for the display of a sign or which display makes the vehicle unsafe or unsuitable for highway operation. Signs carried by hand are not subject to this by-law.

2. Residences: One sign with a non-commercial message, up to one square foot in area is permitted per residential lot.

3. Religious Institutions: (This section deleted by the 1989 Spring Town Meeting)

4. Real Estate Signs: One real estate sign, not over six (6) square feet in area advertising the sale or rental of the lot or buildings thereon is permitted. Real estate signs not more than twenty (20) square feet in area and not more than ten (10) feet in any dimension may be erected on subdivisions of land as defined in General Laws, Chapter 41, Section 81-L, solely to advertise the selling of land or buildings thereon in said subdivision, but not more than one such sign shall face the same street.

5. Illumination

a. All illuminated signs require a building permit.

b. The illumination of any sign shall not exceed seventy-five (75) foot lamberts.

c. A written certification of the foot lamberts of each illuminated sign shall be obtained from a licensed electrician, the sign manufacturer or a qualified consultant, which certification shall accompany the sign permit application and the sign shall be maintained in conformance to this certification.

d. All internal sign illumination is permitted only upon issuance of a special permit by the SPGA, except for wall signs provided by Section 9.D.1., provided that the illumination does not exceed fifty (50) foot lamberts.

e. No internal or external sign illumination is permitted between the hours of 12:00 midnight and 6:00 A.M., except for signs on premises open for business.

f. Internal or external sign illumination shall be steady and stationary.

g. Exterior sign illumination shall be shielded and directed solely at the sign.

h. The width of an illuminated sign above the first story of a building shall not exceed three (3) feet.

i. The illumination of individual letter signs shall be consistent with the application as submitted under Section 9.A.2; a lighted violation of said individual letter signs shall be construed as anything other than all letters being lighted or not lighted.

Amended: Art. 45, ASTM, 5/7/91; Eff. 5/30/91

6. Signs Cannot Interfere with Traffic: No sign, including a window display or its illuminators shall by reason of its location, shape, size or color (i.e. particularly red or green) interfere with traffic or be confused with or obstruct the view or the effectiveness of any official traffic sign, traffic signal or traffic marking, if, in the opinion of the Building Commissioner with advice of the Chief of Police, such sign would create a driving hazard.

7. Construction: No sign shall be painted or posted directly on the exterior surface of any wall. All exterior, attached signs, except awning signs, shall be painted, posted, or otherwise affixed to a substantial intermediary removable surface and such surface shall be securely affixed to the wall of the building. The foregoing, however, shall not prevent installation of a sign by individual letters or devices cut

into or securely affixed to the exterior wall of the building, provided that such letters or devices have a minimum depth of projection of one-fourth (1/4) of an inch. The construction of the sign shall comply with the State Building Code. Each sign must display its uniquely assigned permit serial number on the sign's display surface in order to be readable at a distance of ten (10) feet from the sign.

8. Maintenance: Every sign shall be maintained in good condition. If a sign shows corrosion or deteriorated paint over 25% of the area of one side or if damage to the sign causes a loss of 10% of its substance or if the sign suffers damage or deterioration which creates a risk of harm to the person or property of another or if the establishment is no longer in business, it shall be repaired or removed by the property owner.
9. Prohibited Signs: The following signs are prohibited:
 - a. Signs which incorporate in any manner flashing, moving or intermittent lighting, excluding public service signs showing time and temperature.
 - b. Wind signs, including banners, pennants, spinners, streamers, and other wind actuated components.
 - c. String lights used in conjunction with commercial premises with the exception of temporary lighting for holiday decoration
 - d. Signs erected so as to obstruct any door, openable window, or fire escape on a building.
10. Signs Not Permitted: The following signs are not permitted:
 - a. Freestanding signs exceeding thirty (30) feet in height.
 - b. Freestanding signs closer than ten (10) feet to any lot line, driveway or paved parking area surface.
11. Adopt-A-Street/Sponsors on Public Property: Signs within the right-of-way or on public land erected for the purpose of identifying that a particular sponsor is a participant in the Adopt-A-Street Program, as well as sponsors on public property and with permission of the respective boards, committees and administration, are not subject to this by-law and are allowed by right. Sizes of signs are limited to 24" x 30" or smaller and there shall be no more than one sign per mile. This By-Law is exempt from 9.A.3 and 9.B.7.

Amended: Art. 1, STM, 10/19/93; Eff. 10/19/93

C. RESIDENTIAL DISTRICTS

Multi-Family Residence and Townhouse Housing Districts - A sign not exceeding twelve (12) square feet in area is permitted identifying development in a Multi-Family Residence and Townhouse Housing District.

D. BUSINESS AND INDUSTRIAL DISTRICTS

Accessory signs on business establishments in business districts that comply with the following provisions are permitted.

1. Wall Signs
 - a. One principal wall sign is permitted on the front of the establishment to which it relates.
 - b. A secondary wall sign may be installed marking a direct entrance on a parking lot or another street in addition to the front wall sign. There shall be not more

- than two such secondary wall signs. Said sign shall have a width no greater than 50% of the maximum permissible width for the principal wall sign.
- c. No wall sign shall be more than three feet in overall height.
 - d. In buildings where the first story is substantially above grade and the basement is only partially below street grade, one sign for each level is allowed if each sign has only one-half of the area that would be permitted for a single sign.
 - e. One Directory Wall Sign, comprised of only those establishments that choose to be represented and only those establishments that are situated with their main building entrance lying approximately perpendicular to the frontage street is permitted for each Multiple Tenant Establishment. This sign is further defined in Sections 9.D.1.e.(1) and 9.D.1.e.(2) and is permitted in addition to the Wall Signs permitted in Sections 9.D.1.a and 9.D.1.b.
 - (1) Multiple Tenant Establishment: a building composed of three or more independent and physically separate business establishments where all access and egress of each establishment is exclusively to/from the outdoors and not to/from any other establishment.
 - (2) Directory Wall Sign: is comprised of a group of individual signs (i.e. changeable plates) relating to each individual establishment with a Multiple Tenant Establishments, where (1) each individual sign shall not exceed one foot in height and three feet in width, and (2) the aggregated sign area shall not exceed six feet in height and nine feet in width, and (3) the aggregate signage is affixed to an exterior wall of first story of the Multiple Tenant Establishment to which it relates.

Amended: Art. 63, AFTM, 10/3/95; Eff. 10/17/95
 Art. 40, AFTM, 10/6/98; Eff. 10/15/98

- f. Wall signs shall either be affixed to a wall and parallel to it or affixed to the roof above the wall and be parallel to the wall. They shall not project more than twelve (12) inches from the face of such wall.
 - g. No wall sign shall project above the highest line of the main roof or parapet on the wall to which it is attached, whichever is higher.
 - h. In cases where a building has multiple establishments, wall signs must be of a uniform height. Such signs may only be located in the space permitted for single-establishment buildings.
- 2. Window Signs: Removable window signs on the inside of windows or transparent door are permitted; however, they may not cover more than 50% of the area of each transparent surface. No illumination is allowed except as provided in section 9.B.5.
 - 3. Projecting Signs: In particular instances, the SPGA may issue special permits for projecting signs in accordance with Section 9.A.5. No establishment shall be permitted more than one projecting sign.
 - 4. Standing Signs: The following standing signs are permitted:
 - a. Standing signs permitted under Sections 9.B.2 and 9.B.4.
 - b. During the construction of a building, a standing sign may be erected on the premises identifying the building, the owner, the contractors, the architects and

engineers. Such a sign shall not exceed twenty (20) square feet in area or ten (10) feet in any direction. Such sign shall be removed promptly after the completion of the building.

- c. In particular instances, the SPGA may issue special permits for standing signs in accordance with Section 9.A.5. No establishment shall be permitted more than one standing sign other than signs directing traffic flow.

- d. BUSINESS DISTRICTS

In Business Districts, one freestanding landscaped sign per site is permitted provided that:

- (1) The sign structure is not more than five (5) feet above the mean finished grade and seven (7) feet wide.
- (2) The sign display surface is not more than twenty-four and one half (24.5) square feet, and not more than three and one-half (3.5) feet tall.
- (3) The sign is not a billboard or non-accessory sign.
- (4) All wall signs, projecting signs, window signs and roof signs, except directory signs stipulated in Section 9.D.1.e and Traffic Signs stipulated in Section 9.D.7 are not permitted.
- (5) The sign message area is comprised of only one flat-face or two parallel flat faces and limited to a maximum thickness of two feet from face to face.
- (6) The sign is set back at least ten (10) feet from any street, lot line, driveway, walk or parking area surface.

- e. INDUSTRIAL DISTRICTS

In Industrial Districts, one freestanding landscaped sign per site is permitted provided that:

- (1) The sign structure is not more than five (5) feet above the mean finished grade and seven (7) feet wide.
- (2) The sign display surface is not more than twenty-four and one-half (24.5) square feet, and not more than three and one-half (3.5) feet tall.
- (3) The sign is not a billboard or non-accessory sign.
- (4) All wall signs, projecting signs, window signs and roof signs, except directory signs stipulated in Section 9.D.1.e and traffic signs stipulated in Section 9.D.7 are not permitted.
- (5) The sign structure is of a brick or masonry construction, complete with an adequate footing.
- (6) The area around the sign is populated with at least six well-maintained evergreen shrubs that hide the entire base of the sign.
- (7) The sign message area is comprised of only one flat face or two parallel flat faces and limited to a maximum thickness of two feet from face to face.
- (8) The sign is set back at least ten feet from any street, lot line, driveway, walk or parking area surface.
- (9) In addition to the signs permitted in this section, a free standing directory sign to be located on private property to identify occupants of an Industrial subdivision shall also be allowed by special permit. The sign structure for this directory sign shall not be more than eleven (11) feet above the mean finished grade and twelve (12) feet wide. Individual identification placards shall be uniform in size and shape.

5. BUSINESS DISTRICT MOTOR VEHICLE FUEL FILLING STATIONS

- a. These establishments may divide the wall sign provided by Section 9.D.1.A into separate secondary wall signs, such as a secondary movable letter motor vehicle fuel price sign or signs indicating the separate operations or departments of the premises, provided that the total of the widths of these signs shall not exceed the maximum widths permitted under this by-law.
- b. The freestanding landscaped sign permitted by Section 9.D.4.d, if indicating the brand or name of motor vehicle fuel being sold, may include the use of a secondary movable letter motor vehicle fuel price sign; such sign is not subject to Section 9.D.4.d.(4).
- c. The use of a secondary movable letter motor vehicle fuel price sign, in the Interest of Public Safety, is subject to the following:
 - (1) The Building Commissioner shall file a written report, including the basis for the determination, relative to the provisions of Section 9.B.6.
 - (2) In the case of a freestanding sign usage, the display surface area shall be located under the freestanding landscaped sign and the price sign shall not be more than one (1) foot in height.
 - (3) The display surface area of a wall sign shall not be more than twelve (12) square feet, or for a free standing sign, more than seven (7) square feet.
 - (4) Only one price sign is permitted per site and no more than four (4) different motor vehicle fuel prices may be comprised of movable letters.
 - (5) The change in lettering provisions not permitted by Section 9.E shall not apply to the aforementioned changes in motor vehicle fuel prices.
- d. The standard unilluminated moveable letter motor vehicle fuel price sign attached to each pump with a display surface of not more than thirteen (13) inches wide and eight (8) inches in height for each price, and the standard type of motor vehicle fuel pump bearing thereon the unilluminated name or type of fuel thereof, shall not be deemed to be signs within the meaning of this by-law.

Amended: Art. 53, ASTM, 5/7/91; Eff. 6/4/91

Art. 21, ASTM, 10/5/93; Eff. 10/19/93

6. Traffic Flow Signs: Signs directing traffic flow, except standard traffic control signs consistent with the Federal Department of Transportation Regulations (i.e. currently the Federal Highway Administration Manual on Uniform Control Devices for Streets and Highways) and also recommended by the Chief of Police such as stop, one-way, yield, merge and the like, may not exceed three square feet in area and four feet in height, and each sign must also be approved by the Chief of Police or his designated Signage Safety Officer, for the purpose of insuring the safety of the public and the enforcement of all laws under the authority of the office of the Chief of Police.
7. Handicapped Parking Space Signs: Handicapped parking space signs, as required by Chapter 40 of the Massachusetts General Laws, Section 21 (23) (b), shall be identified by the use of above grade signs with white lettering against a blue background and shall bear the words "HANDICAPPED PARKING: Special Plate Required. Unauthorized Vehicle May Be Removed at Owner's Expense."

engineers. Such a sign shall not exceed twenty (20) square feet in area or ten (10) feet in any direction. Such sign shall be removed promptly after the completion of the building.

- c. In particular instances, the SPGA may issue special permits for standing signs in accordance with Section 9.A.5. No establishment shall be permitted more than one standing sign other than signs directing traffic flow.

- d. BUSINESS DISTRICTS

In Business Districts, one freestanding landscaped sign per site is permitted provided that:

- (1) The sign structure is not more than five (5) feet above the mean finished grade and seven (7) feet wide.
- (2) The sign display surface is not more than twenty-four and one half (24.5) square feet, and not more than three and one-half (3.5) feet tall.
- (3) The sign is not a billboard or non-accessory sign.
- (4) All wall signs, projecting signs, window signs and roof signs, except directory signs stipulated in Section 9.D.1.e and Traffic Signs stipulated in Section 9.D.7 are not permitted.
- (5) The sign message area is comprised of only one flat-face or two parallel flat faces and limited to a maximum thickness of two feet from face to face.
- (6) The sign is set back at least ten (10) feet from any street, lot line, driveway, walk or parking area surface.

- e. INDUSTRIAL DISTRICTS

In Industrial Districts, one freestanding landscaped sign per site is permitted provided that:

- (1) The sign structure is not more than five (5) feet above the mean finished grade and seven (7) feet wide.
- (2) The sign display surface is not more than twenty-four and one-half (24.5) square feet, and not more than three and one-half (3.5) feet tall.
- (3) The sign is not a billboard or non-accessory sign.
- (4) All wall signs, projecting signs, window signs and roof signs, except directory signs stipulated in Section 9.D.1.e and traffic signs stipulated in Section 9.D.7 are not permitted.
- (5) The sign structure is of a brick or masonry construction, complete with an adequate footing.
- (6) The area around the sign is populated with at least six well-maintained evergreen shrubs that hide the entire base of the sign.
- (7) The sign message area is comprised of only one flat face or two parallel flat faces and limited to a maximum thickness of two feet from face to face.
- (8) The sign is set back at least ten feet from any street, lot line, driveway, walk or parking area surface.
- (9) In addition to the signs permitted in this section, a free standing directory sign to be located on private property to identify occupants of an Industrial subdivision shall also be allowed by special permit. The sign structure for this directory sign shall not be more than eleven (11) feet above the mean finished grade and twelve (12) feet wide. Individual identification placards shall be uniform in size and shape.

5. BUSINESS DISTRICT MOTOR VEHICLE FUEL FILLING STATIONS

- a. These establishments may divide the wall sign provided by Section 9.D.1.A into separate secondary wall signs, such as a secondary movable letter motor vehicle fuel price sign or signs indicating the separate operations or departments of the premises, provided that the total of the widths of these signs shall not exceed the maximum widths permitted under this by-law.
- b. The freestanding landscaped sign permitted by Section 9.D.4.d, if indicating the brand or name of motor vehicle fuel being sold, may include the use of a secondary movable letter motor vehicle fuel price sign; such sign is not subject to Section 9.D.4.d.(4).
- c. The use of a secondary movable letter motor vehicle fuel price sign, in the Interest of Public Safety, is subject to the following:
 - (1) The Building Commissioner shall file a written report, including the basis for the determination, relative to the provisions of Section 9.B.6.
 - (2) In the case of a freestanding sign usage, the display surface area shall be located under the freestanding landscaped sign and the price sign shall not be more than one (1) foot in height.
 - (3) The display surface area of a wall sign shall not be more than twelve (12) square feet, or for a free standing sign, more than seven (7) square feet.
 - (4) Only one price sign is permitted per site and no more than four (4) different motor vehicle fuel prices may be comprised of movable letters.
 - (5) The change in lettering provisions not permitted by Section 9.E shall not apply to the aforementioned changes in motor vehicle fuel prices.
- d. The standard unilluminated moveable letter motor vehicle fuel price sign attached to each pump with a display surface of not more than thirteen (13) inches wide and eight (8) inches in height for each price, and the standard type of motor vehicle fuel pump bearing thereon the unilluminated name or type of fuel thereof, shall not be deemed to be signs within the meaning of this by-law.

Amended: Art. 53, ASTM, 5/7/91; Eff. 6/4/91

Art. 21, ASTM, 10/5/93; Eff. 10/19/93

6. Traffic Flow Signs: Signs directing traffic flow, except standard traffic control signs consistent with the Federal Department of Transportation Regulations (i.e. currently the Federal Highway Administration Manual on Uniform Control Devices for Streets and Highways) and also recommended by the Chief of Police such as stop, one-way, yield, merge and the like, may not exceed three square feet in area and four feet in height, and each sign must also be approved by the Chief of Police or his designated Signage Safety Officer, for the purpose of insuring the safety of the public and the enforcement of all laws under the authority of the office of the Chief of Police.
7. Handicapped Parking Space Signs: Handicapped parking space signs, as required by Chapter 40 of the Massachusetts General Laws, Section 21 (23) (b), shall be identified by the use of above grade signs with white lettering against a blue background and shall bear the words "HANDICAPPED PARKING: Special Plate Required. Unauthorized Vehicle May Be Removed at Owner's Expense."

excluded in determining the area of a sign. A double-faced sign having the identical message on both sides shall be considered to have the area of a single face.

C. DEFINITIONS

As used in this Zoning By-law, sign types shall be defined as follows:

1. Architectural. A sign that is an integral, decorative or architectural feature of a building, which may include letters or numbers relating to the building.
2. Artisan's. A temporary sign of a mechanic, painter, or other artisan performing work to the premises on which the sign is located.
3. Awning. A temporary or permanent covering or shelter, which is supported entirely from the exterior wall of a building.
4. Banner. A temporary sign made of a piece or strip of cloth, paper, canvas, plastic or similar material, on which a message, slogan or emblem is painted, drawn or otherwise projected, colored, or shaped with no enclosing framework.
5. Billboard. Any sign or other advertising device subject to licensing by the State Outdoor Advertising Board, or signs subject to the provisions of M.G.L., ch. 93, §§ 29-33 or ch. 93D.
6. Construction. A temporary sign located on the premises where construction or development is taking place and which identifies the contractors, engineers, architects, and financial institutions that are involved in projects.
7. Directory. A sign listing the occupants of a building and the street address or room number of the occupants.
8. Filling station. A combination of signs permitted in the Business District only, including movable letter motor vehicle fuel price signs; signs indicating separate operations or departments on the premises, such as a mini market; and brand or name of motor vehicle fuel being sold.
9. Governmental. A sign erected by or on behalf of or pursuant to the authorization of a governmental body, or required by any law, governmental order or regulation, including legal notices; identification and informational signs; and traffic, directional, or regulatory signs.
10. Home occupation. A sign that identifies a home occupation in any residential district.
11. Identification. A sign that indicates the place name and address of a use, building, or structure in a Multi-family District.
12. Industrial directory. A sign that identifies the occupants in an industrial development.
13. Institutional. A type of freestanding sign for a religious or educational institution.
14. Monument. A low-profile freestanding sign erected with a wide base on the ground.
15. Moveable letter or message board. A temporary or permanent sign on which the letters are temporary and interchangeable, but not including changeable letters in a filling station sign, governmental sign, or institutional sign.

16. Portable. A sign that is constructed of any material and is designed to be easily relocated from one location to another, whether or not it is fastened to any object, vehicle, trailer, building or staked to the ground in any manner at any given time.
17. Projecting. A sign that is attached to a building and is not parallel to any wall to which it is attached. A sign in contact with the ground is not a projecting sign.
18. Real estate. A temporary sign advertising the sale, rent or lease of the property on which it is located.
19. Real estate subdivision. A sign that advertises the sale of land or a building for a whole subdivision.
20. Roof. A sign erected upon and above a roof structure and wholly supported by the roof structure or a structure placed upon the roof. Roof signs shall also constitute any signage placed upon sloped building faces intended to appear as or actually be roof elements of the building.
21. Traffic flow. A sign that directs and guides traffic and parking on private property, which bears no advertising matter, symbols, or other characteristics of a sign.
22. Wall. A sign fastened, placed or painted upon or parallel to the exterior wall of the building or structure itself, whether front, rear, or side of the building or structure.
23. Window. A sign placed on or within 2 feet of any glass or transparent area of a window or door.

D. SIGNS NOT REQUIRING A PERMIT

The following types of signs may be erected, changed, or altered without a sign permit:

1. One, maximum 1 square foot non-commercial sign per residential lot.
2. One, maximum 6 square foot real estate sign. Such sign shall be removed from the property immediately after the transfer of real estate takes place.
3. One, maximum 12 square foot construction sign in a Multi-family, Townhouse, or Elderly Housing District or for an assisted living residence.
4. Signs of a maximum size of 24" x 30" within a street right-of-way erected for the purpose of identifying that a particular sponsor is a participant in the Adopt-A-Street Program.
5. Signs of a maximum size of 24" x 30" on public property or property of a similar nature erected for the purpose of identifying that a particular sponsor is maintaining the property.
6. Flags or insignia of any governmental or nonprofit organization when not displayed in connection with a commercial promotion or as an advertising device.
7. A governmental sign.
8. Signs carried by hand.
9. Traffic flow signs, which shall not exceed 3 square feet in area and 4 feet in height, except that standard traffic control signs consistent with state and federal transportation regulations and also recommended by the Chief of Police, such as stop, one-way, yield, merge, and the like, shall not be subject to the dimensional limitations, but shall be the standard size permitted by such state and federal regulations.

10. Handicapped parking space signs, as required by M.G.L., ch. 40, § 21 (23) (b), as amended, shall be identified by the use of above grade signs with white lettering against a blue background and shall bear the words "HANDICAPPED PARKING: Special Plate Required. Unauthorized Vehicle May Be Removed at Owner's Expense."
11. An official sign of a non-commercial nature erected by a public utility.
12. One square foot "circa" sign indicating the year of construction and located on historic buildings.

E. PROHIBITED SIGNS

The following types of signs are prohibited in all zoning districts:

1. Signs which incorporate in any manner flashing, moving or intermittent lighting, excluding public service signs showing time and temperature, excluding school zone or signs pertaining to a safety feature.
2. Neon signs.
3. Wind signs, including pennants, spinners, streamers, and other wind actuated components.
4. String lights used in conjunction with commercial premises with the exception of temporary lighting for holiday decoration.
5. Signs erected so as to obstruct any door, window that opens, or fire escape.
6. A billboard or off-premise sign owned by a person, corporation or other entity engaged in the business of selling advertising space on that sign.
7. Banners, unless declared by the Board of Selectmen to provide a public service, in which case the sign shall be permitted without a permit.
8. Portable signs.
9. Roof signs.
10. Moveable letter or message board signs.

F. SIGNS PERMITTED IN EACH ZONING DISTRICT

The following types of signs are permitted in the various zoning districts as set forth below:

1. Residential Districts (Village Residence, Neighborhood Residence, Rural Residence, Multi-Family Residence):
 - a. Artisan's
 - b. Construction
 - c. Directory for multi-family uses
 - d. Home occupation
 - e. Identification
 - f. Institutional
 - g. Real Estate
 - h. Real Estate Subdivision

2. Business Districts (Neighborhood Business, General Business, Commercial)

- a. Architectural
- b. Artisan's
- c. Awning
- d. Construction
- e. Directory
- f. Filling Station
- g. Institutional
- h. Monument
- i. Projecting
- j. Real Estate
- k. Real Estate Subdivision
- l. Wall
- m. Window

3. Industrial District

- a. Artisan's
- b. Construction
- c. Industrial Directory
- d. Institutional
- e. Monument
- f. Real Estate
- g. Real Estate Subdivision
- h. Wall

4. All signs permitted in the Industrial District shall be permitted in the Specialty Districts (Refuse Transfer Station, Private & Public Dumping Ground), Alcohol & Drug Rehabilitation Hospital, Composting, Adult Entertainment)

5. All signs in Overlay Districts (Flood Plain, Historic, Residential Cluster, Townhouse, Elderly Housing, and Self-Service Storage Facility) shall comply with the sign regulations for the underlying district.

G. SIGN REQUIREMENTS

Prior to issuance of a sign permit, each sign type shall comply with the following requirements:

1. Architectural:

The maximum area of such sign shall not exceed 2 square feet per linear foot of the building wall on which the sign appears.

2. Artisan's:

The maximum area of such sign shall not exceed 16 square feet.

Such sign shall be removed promptly upon completion of the work.

3. Awning:
 - a. The awning shall fully fill the width of a window or door opening.
 - b. A continuous awning shall be supported at points on the piers and at the bottom of the frieze.
 - c. There shall be a minimum clearance of 7 ½ feet above the sidewalk or driveway to the bottom of the awning frieze.
 - d. No more than 30% of the awning area shall be occupied with graphics and lettering.
 - e. Graphics and lettering shall be a maximum height of 3 feet.
4. Construction:
 - a. The maximum area of such sign shall not exceed 20 square feet.
 - b. No dimension shall exceed 10 feet.
 - c. All construction signs shall be removed 10 days after issuance of the final use and occupancy permit.
5. Directory:
 - a. The maximum area of such sign shall not exceed 54 square feet.
 - b. No dimension of such sign shall exceed 9 feet.
 - c. A directory wall sign for a multiple-tenant establishment shall be affixed to a first story, exterior wall of the building in which the multiple tenants are located; and the sign shall be comprised of only those establishments that choose to be represented and only those establishments that are situated with their main building entrance lying approximately perpendicular to the frontage street.
 - (1) A multiple-tenant establishment is a building composed of three or more independent and physically separate business establishments where all access and egress is exclusively to/from the outdoors and not to/from any other establishment.
 - (2) A directory wall sign is comprised of a group of individual signs or changeable plates relating to each individual establishment within the multiple-tenant establishment.
 - (3) Each individual sign shall not exceed 1 foot in height and 3 feet in width.
 - (4) The aggregate sign area shall not exceed 6 feet in height and 9 feet in width.
6. Filling Station Sign:
 - a. In the case of a freestanding sign usage, the display surface area shall be located under the freestanding landscaped sign and the price sign shall not be more than 1 foot in height.
 - b. The display surface area of a wall sign shall not be more than 12 square feet, or for a free standing sign, more than 7 square feet.
 - c. Only one price sign is permitted per site and no more than four different motor vehicle fuel prices may be comprised of movable letters.
 - d. Changes in motor vehicle fuel prices may be made without a sign permit.

- e. The standard unlighted, moveable letter motor vehicle fuel price sign attached to each pump shall have a display surface that complies with state requirements.
- f. The standard type of motor vehicle fuel pump, bearing thereon the unlighted name or type of fuel being sold, shall not be deemed to be a sign within the meaning of this Zoning By-law.

7. Home Occupation:

- a. In all residential districts, one sign shall be permitted to identify a home occupation.
- b. The maximum size of such sign shall not exceed 2 square feet.
- c. The maximum height of such sign shall not exceed 5 feet.
- d. Such sign shall be externally lit if lighting is provided.
- e. The sign and any associated landscaping shall be located a minimum of 10 feet from all property lines, and where deemed necessary by the Inspector of Buildings, the setback shall be increased so that the sign and associated landscaping does not obstruct views from or onto other properties or site distance of a driver of oncoming, intersecting, or merging traffic.

8. Identification:

- a. In the Multi-Family Residence, Townhouse Overlay, and Elderly Housing Overlay Districts, a single identification sign shall be permitted for any multi-family residential use not exceeding 12 square feet and located at the entrance to the development.
- b. The maximum height of such sign shall be 5 feet to the top of the sign above the mean finished grade where the sign is located.
- c. No more than one sign shall be placed upon any property, unless such property fronts upon more than one street, in which case one sign may be erected on each frontage.
- d. Identification signs shall contain the street address of the property using minimum 6-inch letters.

9. Industrial directory:

The Zoning Board of Appeals may issue a special permit for an industrial development sign to identify multiple properties within an industrial subdivision or development after hearing and making the following findings:

- a. The sign is located on private property adjacent to a main thoroughfare at an entrance to an industrial development or subdivision;
- b. The sign identifies occupants of the industrial development or subdivision;
- c. The maximum height of the sign does not exceed 11 feet above the mean finished grade where the sign is located;
- d. The maximum width of the sign does not exceed 12 feet; and
- e. The individual identification placards for each tenant shown on the industrial directory sign are uniform in size and shape.

10. Institutional:

- a. The maximum area of such sign shall not exceed 24.5 square feet.

- b. The maximum vertical dimension of the sign shall be 8.5 feet.
- c. The minimum height of such sign shall be 5 feet to the bottom of the sign above the mean finished grade where the sign is located.
- d. Religious symbols shall not be deemed to constitute signs.
- e. If used, the area of a bulletin board shall be included in the dimensional regulations of the sign.
- f. Only one institutional sign that is freestanding shall be permitted on each site.
- g. The sign shall contain the street number or street address of the property on which it is located using minimum 6-inch letters.

11. Monument:

- a. The maximum message area of such sign shall not exceed 28 square feet in the business and industrial districts and shall include the place name, if applicable, and street address using minimum 6-inch letters.
- b. The maximum height of such sign shall not exceed 5 feet to the top of the sign above the nearest pavement grade.
- c. The maximum width of such sign shall be 7 feet.
- d. The sign structure shall consist of a brick or masonry construction, complete with an adequate footing.
- e. The sign message area shall be comprised of only one flat face or two parallel flat faces limited to a maximum thickness of 2 feet from face to face.
- f. The sign shall be located a minimum of 10 feet from all property lines, and where deemed necessary by the Inspector of Buildings, the setback shall be increased so that the sign and associated landscaping does not obstruct views from or onto other properties or site distance of a driver of oncoming, intersecting, or merging traffic.
- g. All monument signs shall be landscaped with well-maintained plantings 10 feet around the entire base of the sign.
- h. There shall be only one monument sign permitted on the site on which the sign is located.

12. Projecting:

- a. The maximum area of such sign shall not exceed 6 square feet.
- b. Only one such sign is permitted for each business.
- c. The sign shall not project more than 3 feet from the building.
- d. The sign shall be hung at a 90-degree angle from the face of the building or structure to which it is attached.
- e. The bottom of the sign shall have a minimum clearance of 10 feet above a pedestrian walkway or sidewalk or 15 feet above a vehicular driveway.
- f. The sign shall not encroach into minimum yard areas.

13. Real Estate:

- a. The maximum area of such sign shall not exceed 6 square feet in residential districts.
- b. The maximum area of such sign shall not exceed 32 square feet in non-residential districts.

- c. Only one sign shall be permitted per lot.
- d. The sign shall be removed immediately after completion of the sale or lease of the real estate.

14. Real Estate Subdivision:

- a. The maximum area of such sign shall not exceed 32 square feet.
- b. No dimension shall be greater than 8 feet.
- c. Only one sign shall be permitted to face each street that abuts the tract of land subdivided.
- d. The sign shall be solely to advertise the selling of land or buildings thereon in said subdivision.
- e. The sign shall be removed immediately after completion of the sale or lease of the real estate.

15. Wall:

- a. The maximum area of such sign shall not exceed 3 square feet for each linear foot of the building face on which the wall sign is affixed.
- b. The maximum height is 3 feet.
- c. One principal wall sign is permitted on the front of the establishment to which it relates.
- d. A secondary wall sign may be installed marking a direct entrance on a parking lot or another street in addition to the front wall sign. There shall be no more than two such secondary wall signs. Said sign shall have a width no greater than 50% of the width of the principal wall sign.
- e. Wall signs shall be affixed to a wall and parallel to it.
- f. No wall sign shall project more than 12 inches from the face of such wall.
- g. In cases where a building has multiple establishments, wall signs must be of a uniform height and lettering. Such signs may only be located in the space permitted for single-establishment buildings.

16. Window:

- a. Combined window signage shall not exceed 30% of the total glass area of the window and/or door to which the signage is related.
- b. All window signs shall be temporary and removable.

H. SUMMARY OF SIGN TYPES PERMITTED IN EACH ZONING DISTRICT

Within the zoning districts listed below, the type of signs permitted include:

DISTRICTS

SIGN TYPE	Residential	Business and Commercial	Industrial	Specialty
ARCHITECTURAL	NO	YES	NO	NO
ARTISAN'S	YES	YES	YES	YES
AWNING	NO	YES	NO	NO
CONSTRUCTION	YES	YES	YES	YES
DIRECTORY	YES	YES	NO	NO
FILLING STATION	NO	YES	NO	NO
HOME OCCUPATION	YES	NO	NO	NO
IDENTIFICATION	YES	NO	NO	NO
INDUSTRIAL DIRECTORY	NO	NO	YES*	YES*
INSTITUTIONAL	YES	YES	YES	YES
MONUMENT	NO	YES	YES	YES
PROJECTING	NO	YES	NO	NO
REAL ESTATE	YES	YES	YES	YES
REAL ESTATE SUBDIVISION	YES	YES	YES	YES
WALL	NO	YES	YES	YES
WINDOW	NO	YES	NO	NO

*** Permitted by special permit from the Board of Appeals, as set forth under the specific requirements for an Industrial directory sign.**

I. NUMBER OF SIGNS PERMITTED

1. No property shall have more than two signs unless a special permit is granted by the Board of Appeals if it finds that such additional sign will not be detrimental to the neighborhood and that such sign is necessary to properly advertise or identify the use or uses proposed on the property.
2. A multiple-tenant establishment may have one sign on the site for the multiple-tenant establishment identifying the place name, if applicable, and street address; and each tenant within the multiple-tenant establishment may have two signs advertising its business or establishment. A directory wall sign for the multiple-tenant establishment is also permissible if such sign complies with the requirements in this section for a directory sign for a multiple-tenant establishment.
3. Only one monument sign shall be permitted on a site.

J. ILLUMINATION AND LIGHTING

1. Signs may be externally or internally illuminated, unless otherwise provided by the Zoning by-law.
2. The light from any sign shall be so shaded, shielded, or directed or shall be maintained at a sufficiently low level of intensity and brightness that it shall not adversely affect neighboring premises, reflect or shine on or into residential lots, or

impair the safe vision of operators of vehicles moving on public roads and highways.

3. No illumination shall be permitted which casts glare beyond the perimeter of the property on which the sign is located.
 4. Light bulbs shall be enclosed in a housing, can, sleeve, or other container.
 5. The illumination of any sign shall not exceed seventy-five (75) foot lamberts. A written certification of the foot lamberts of each illuminated sign shall be obtained from a licensed electrician, the sign manufacturer or a qualified consultant, which certification shall accompany the sign permit application and the sign shall be maintained in conformance to this certification.
 6. No internal or external sign illumination is permitted between the hours of 12:00 midnight and 6:00 A.M., except for signs on premises open for business.
 7. Internal or external sign illumination shall be steady and stationary.
 8. Exterior sign illumination shall be shielded and directed solely at the sign.
- or act in relation thereto. Submitted by the Billerica Zoning By-law Committee

ARTICLE 62

To see if the Town will vote to amend the Zoning By-law by adding provisions for freestanding signs by amending section 9 of the Zoning By-law as follows:

(ALL ADDITIONS ARE SHOWN IN BOLD)

1. Add a definition for a freestanding sign under Section 9.C and renumber the section accordingly with the definition to read as follows:

***Freestanding.* A sign directly or indirectly connected to the ground and not attached to any buildings or other structures. If a sign support holds more than one sign, each sign is considered a separate freestanding sign.**

2. Amend Section 9.F.2 to allow freestanding signs in the Business District and re-letter accordingly so that it reads as follows:

2. Business Districts (Neighborhood Business, General Business, Commercial)
 - Architectural
 - Artisan's
 - Awning
 - Construction
 - Directory
 - Filling Station
 - Freestanding**
 - Institutional
 - Monument
 - Projecting
 - Real Estate
 - Real Estate Subdivision
 - Wall
 - Window

3. Add requirements for freestanding signs under Section 9.G and renumber accordingly with the requirements to read as follows:

Freestanding.

- The maximum message area of such sign shall not exceed 21 square feet in the business and industrial districts and shall contain the place name and street address using minimum 6-inch letters.
- The maximum height of such sign shall not exceed 8 feet to the top of the sign above the nearest pavement grade.
- The minimum height of such sign shall be 5 feet to the bottom of the sign above the mean finished grade where the sign is located. For purposes of site distance, a minimum of 3 feet shall remain unobstructed from the bottom of the sign to the mean finished grade.
- The maximum width of such sign message area shall be 7 feet.
- The sign and associated landscaping shall be located a minimum of 10 feet from all property lines, and where deemed necessary by the Inspector of Buildings, the setback shall be increased so that the sign and associated landscaping does not obstruct views from or onto other properties or site distance of a driver of oncoming, intersecting, or merging traffic.
- Where such sign consists of two parallel, flat, sign faces the maximum thickness between the two sign faces is 2 feet.
- All freestanding signs shall have two posts, maximum 8 inches across, attached to the ground.
- All freestanding signs shall be landscaped with well-maintained plantings at a maximum height of 2 feet that are located within a 2-foot perimeter around the sign posts.
- There shall be only one freestanding sign permitted on the site on which the sign is located.

4. Add freestanding to the Summary of Sign Type Table under Section 9.H and permit a freestanding sign in the Business and Commercial Districts to read as follows:

H. SUMMARY OF SIGN TYPES PERMITTED IN EACH ZONING DISTRICT

Within the zoning districts listed below, the type of signs permitted include:

SIGN TYPE	DISTRICTS			
	Residential	Business and Commercial	Industrial	Specialty
ARCHITECTURAL	NO	YES	NO	NO
ARTISAN'S	YES	YES	YES	YES
AWNING	NO	YES	NO	NO
CONSTRUCTION	YES	YES	YES	YES
DIRECTORY	YES	YES	NO	NO
FILLING STATION	NO	YES	NO	NO
FREESTANDING	NO	YES	NO	NO

HOME OCCUPATION	YES	NO	NO	NO
IDENTIFICATION	YES	NO	NO	NO
INDUSTRIAL DIRECTORY	NO	NO	YES*	YES*
INSTITUTIONAL	YES	YES	YES	YES
MONUMENT	NO	YES	YES	YES
PROJECTING	NO	YES	NO	NO
REAL ESTATE	YES	YES	YES	YES
REAL ESTATE SUBDIVISION	YES	YES	YES	YES
WALL	NO	YES	YES	YES
WINDOW	NO	YES	NO	NO

5. Amend Section 9.I.3 to add freestanding signs to read as follows:

3. Only one **freestanding or** monument sign shall be permitted on a site.
or act in relation thereto. **Submitted by the Billerica Zoning By-law Committee**

ARTICLE 63

To see if the Town will amend Section 12 of the Zoning By-law by adding a new Section D to permit associate members of the planning board to act as alternates, if necessary, when the planning board is considering special permits, said addition to read as follows:

(NEW SECTION D IS SHOWN IN BOLD)

SECTION 12. SPECIAL PERMIT GRANTING AUTHORITY

PURPOSE OF REGULATIONS

The purpose of these regulations is to describe the Special Permit Granting Authority under this Zoning By-law.

B. DESIGNATION OF SPECIAL PERMIT GRANTING AUTHORITY

The Special Permit Granting Authority shall be that Board designated to issue special permits for a particular use, building, or structure, as set forth under this Zoning By-law.

C. POWERS AND DUTIES

1. The Special Permit Granting Authority shall hear and decide applications for special permits for uses as provided in this Zoning By-law.
2. Each Special Permit Granting Authority shall adopt rules, not inconsistent with this Zoning By-law, for the conduct of its business, including procedures for filing applications and petitions; holding public hearings; obtaining review by other Town boards, agencies, and outside consultants, before and after construction of a use, and including the design specifications for such use; and making decisions.

D. ASSOCIATE PLANNING BOARD MEMBERS

There shall be two associate planning board members, who may be designated by the chairperson to sit on a matter when the planning board is designated the special permit granting authority ("SPGA"). The chairperson may designate an associate member to sit on the SPGA in the case of absence, inability to act, or conflict of interest on the part of any member of the SPGA. In the case of vacancy on the SPGA, the chairperson may designate an associate member to sit on the SPGA until such time as a new member has been appointed. Associate members of the SPGA shall be appointed to three year terms by majority vote of the Billerica Board of Selectmen. Associate members shall be appointed within three months of the adoption of this provision of the Billerica Zoning Bylaw or within three months of any vacancy on the SPGA.

or act in relation thereto. Submitted by the Billerica Zoning By-law Committee

And you are hereby directed to serve this Warrant by posting true and attested copies thereof, one copy at the East Billerica Fire Station; one copy at the Ninety-Nine Restaurant, Lexington Road; one copy at the Billerica Walk-in Medical Center, Boston Road; one copy at the Nuttings Lake Post Office; one copy at the North Billerica Post Office; one copy at Jim's Automotive/Fahey's Gulf Station, Nashua Road; one copy at Market Basket, Towne Plaza; one copy at the Center Post Office, Boston Road; one copy at the Pinehurst Fire Station; one copy at the North Billerica Fire Station; one copy at the Town Hall, 365 Boston Road and one copy at the Billerica Public Library.

Given under our hands this 21st day of September, 2001.

S/Robert M. Correnti, Chairman

S/Michael S. Rosa, Vice Chairman

S/Ellen Day Rawlings, Secretary

S/James F. O'Donnell, Jr.

S/Peter M. Coppinger

BOARD OF SELECTMEN

A True Copy

ATTEST: S/Al Melaragni, Constable, Town of Billerica

September 21, 2001

Ms. Evelyn M. Haines
Assistant Town Manager
Town Hall
365 Boston Road
Billerica, MA 01821

Dear Ms. Haines:

I have posted the Warrant for the Annual Fall Town Meeting to be held on Tuesday,

October 2nd at 7:30 p.m. at the Maurice A. Buck Memorial Auditorium, 365 Boston Road, Billerica, MA at the following locations:

East Billerica Fire Station	Town Hall
Ninety-Nine Restaurant, Lexington Road	Billerica Public Library
Billerica Walk-in Medical Center, Boston Road	North Billerica Fire Station
Nutting Lake Post Office	Pinehurst Fire Station
North Billerica Post Office – Boston Road	
Market Basket, Town Plaza	
Center Post Office, Boston Road	
Jim's Automotive/Fahey's Gulf Station	

Signed:

S/Al Melaragni, Constable, Town of Billerica

**ANNUAL FALL TOWN MEETING
Maurice A. Buck Memorial Auditorium
First Session - October 2, 2001**

Prior to the start of Town Meeting, Leslie Hannon, Peter Annunziata, Charlene McGowan, Oren Hunt and Richard Freedman were appointed tellers and were sworn in by the Town Clerk.

Precinct Two held a caucus and elected the following Town Meeting Members:

Sandra Giroux – 21 Horman Road
Edward J. Giroux – 21 Horman Road

A quorum count was taken. With one hundred twenty-two (122) Town Meeting Members present, the Annual Fall Town Meeting was declared in session at 7:31 p.m.

Reverend Lyn Plumb, Pastor of the First Parish Unitarian Universalist Church gave the invocation.

Opening ceremonies included the Pledge of Allegiance and stirring renditions of patriotic songs by the Billerica Memorial High School Special Vocal Ensemble under the direction of Suzanne Robertson and accompanied by Dr. Paul Cox.

A moment of silence was held for the following deceased persons who have served the Town:

Eleanor M. Alger, Died: September 27, 2001, Clerk Typist (Various Depts.: 1978 – 1993), Election Officer: 1978 – 1995; Gerard J. Boucher, Died: November 5, 2000, Town Meeting Member: 1996 – 2000; Joyce R. Brosnahan, Died: April 2, 2001, Election Worker & Census Taker: 1976 – 1994; Veronica M. Dawson, Died: August 27, 2001, Teacher: Talbot School: 1948 – 1978; Alice F. Donovan, Died: September 21, 2001,

Finance Committee Member: 1960 – 1963, Precinct Officer: 1980 – 1981; Adeline Dockham, Died: January 30, 2001, Cafeteria Worker: 1973; Mazie Fox, Died: July 2, 2000, Election Precinct Officer: 1976 – 1982; Marguerite E. Gill, Died: September 22, 2001, Election Officer: 1976 – 1984; Elizabeth M. Harrington, Died: December 29, 2000, Billerica School Audiologist: 1968 – 1980, Precinct Officer: 1976 – 1980; Sidney Horlink, Died: September 28, 2001, Town Meeting Member: 1963 – 2001, Election Officer: 1996 – 2000; Lois Humphreys, Died: August 8, 2001, Accountant Office Clerk: 1956 – 1974; Thomas J. Kilday, Died: December 13, 2000, Town Meeting Member: 1969 – 1989, Fire Station Building Committee: 1971 – 1977, Library Building Committee: 1979 – 1989, Energy Policy Committee: 1977 – 1985, Quorum Committee: 1971 – 1974; Kenneth N. Lewis, Sr, Died: February 5, 2001, Dept. of Public Works: 1957 – 1982; Dr. Elizabeth F. McCarthy, Died: September 20, 2001, Teacher & Dutile School Principal: 1965 – 1993, Town Meeting Member: 1956 – 1999, Housing Authority Member: 1973 – 2000, Municipal Building Use Study Committee: 1986 – 1988, Town By-Law Review Committee: 1992, Howe High School Study Committee: 1983 – 1984, School Building Study Committee: 1980 – 1982, Local Growth Policy Committee: 1976; Gladys M. McGinnis, Died: August 21, 2000, Cafeteria Worker: 1973; Marie H. McNulty, Died: December 8, 2000, Precinct Officer: 1972 – 1985; Charles H. Meserve, Died: February 18, 2001, Highway Dept.: 1970 – 1980; Philip L. Mitchell, Died: January 1, 2001, Billerica Fire Dept.: 1963 – 1995; Marion C. Nelson, Died: August 21, 2000, Teacher: 1954 – 1961; Philip H. Sheridan, Died: May 11, 2001, Highway Dept.: 1957 – 1982.

The Moderator presented plaques to Lillie Ralston and John Gray for their 25-years of service as Town Meeting Members.

It was moved, seconded and VOTED to accept the warrant as duly posted by the Constable.

It was moved, seconded and VOTED to dispense with the reading of the Warrant.

ARTICLE 14

It was moved, seconded, and VOTED to dismiss Article 14.

ARTICLE 15

It was moved, seconded and VOTED to dismiss Article 15.

ARTICLE 24

It was moved, seconded and VOTED to dismiss Article 24

ARTICLE 25

It was moved, seconded and VOTED to dismiss Article 25.

ARTICLE 30

It was moved, seconded and VOTED to dismiss Article 30.

ARTICLE 31

It was moved, seconded and VOTED to dismiss Article 31.

ARTICLE 35

It was moved, seconded and VOTED that Article 35 be moved to follow Article 11.

ARTICLE 23

It was moved, seconded and VOTED to move Article 23 to the first order of business on October 9th

ARTICLE 37

It was moved, seconded and VOTED to make Article 37 the second order of business on October 9th

ARTICLES 39, 40 and 41

It was moved, seconded and VOTED to move Articles 39, 40 and 41 to the third, fourth and fifth orders of business on October 9th.

ARTICLE 48

It was moved, seconded and VOTED to move Article 48 to the first order of business on October 11th.

ARTICLES 43, 44 and 45

It was moved, seconded and VOTED to make Articles 43, 44 and 45 the first, second and third orders of business on October 16th.

ARTICLE 46

It was moved, seconded and VOTED to make Article 46 the fourth order of business on October 16th.

ARTICLE 47

It was moved, seconded and VOTED to make Article 47 the sixth order of business on October 9th.

ARTICLES 49 – 63

It was moved, seconded and VOTED to move Articles 49 – 63 to the second through sixteenth order of business on October 11th.

ARTICLE 21

It was moved and seconded to move Article 21 before Article 5. With eighty-one (81) voting in favor and thirty-eight (38) opposed, the motion CARRIED.

ARTICLE 1

It was moved and seconded to reappoint Jeanne LeGallo to a five-year term as a Member of the Bower's Fund. The motion CARRIED unanimously.

ARTICLE 2

It was moved and seconded to raise and appropriate the sum of \$340,564 to fund various FY 2002 Budget line items as follows:

Town:

Unclassified	Building Insurance	\$ 42,000.00
Unclassified	Retirements	10,000.00
Water Dept.	Overtime	40,000.00
Water Dept.	Hydrant Flushing	28,000.00
Highway	Cont. Services	50,000.00
	Total	\$ 170,000.00

Schools:

Unclassified	Building Insurance	\$ 14,598.00
Unclassified	Workers Comp.	63,084.00
Schools	Retirements	92,882.00
	Total	\$ 170,564.00

The Finance Committee concurred. The Selectmen concurred. The motion as presented CARRIED.

ARTICLE 3

It was moved and seconded to transfer from available funds the sum of \$3,800 to fund various FY 2002 Budget line items as follows:

Transfer From:

Selectmen Salaries
\$1,400

Transfer to:

Board of Health Cholesterol Screening

Selectmen Salaries
\$900

Disability Commission

Selectmen Salaries
\$1,500

Beautification Comm. (Holiday Festival)

The Finance Committee concurred. The Selectmen concurred.

The motion as presented CARRIED.

ARTICLE 4

It was moved and seconded to transfer the sum of \$326,045.22 from FY 2000 overlay surplus to fund overlay deficits for the following fiscal years:

<u>Fiscal Year</u>	<u>Amount</u>
1982	\$24,439.16
1983	64,570.73
1985	4,758.36
1987	17,868.76

1988	51,020.50
1989	41,342.83
1990	54,203.99
1991	17,373.11
1993	50,224.53
1994	<u>333.25</u>
Total	\$326,045.22

The Finance Committee recommended. The Selectmen recommended.

The motion as presented CARRIED.

ARTICLE 21

It was moved and seconded to transfer from free cash the sum of \$1,000,000 (one million dollars) to offset the tax increase for fiscal year 2002.

The Finance Committee did not recommend. This money should be put in the Stabilization Fund to be used as needed.

Selectman Rosa, proponent of this article spoke of the merits of giving some of the free cash back to the taxpayer.

Discussion ensued both pro and con.

Rep. Dampolo moved the question. Seconded. With one hundred eleven (111) voting in favor and thirty-three (33) opposed, debate was cut off.

The motion as presented was put to a rising vote. With fifty-three (53) in favor and ninety-six (96) opposed, the motion LOST.

It was moved by Rep. Dampolo and seconded to reconsider Article 21. Reconsideration LOST.

ARTICLE 5

It was moved and seconded to transfer from free cash the sum of \$500,000 to fund construction and engineering of Recreation facilities/parking on French Street.

The Finance Committee concurred. The Selectmen concurred.

The motion as presented CARRIED.

ARTICLE 6

It was moved and seconded to transfer from free cash the sum of \$1,000,000 to fund pedestrian, landscape and traffic improvements to Billerica Town Center.

The Finance Committee concurred. The Selectmen concurred.

Town Manager Montuori spoke on the article. Much discussion ensued.

Rep. McLaughlin moved the question. Seconded. With one hundred eleven (111) voting in favor and twenty-nine (29) opposed, debate was cut off.

The motion as presented was put to a rising vote. With eighty (80) in favor and sixty-five (65) opposed, the motion CARRIED.

It was moved and seconded to reconsider Article 6. Reconsideration LOST.

ARTICLE 7

It was moved and seconded to transfer from free cash the sum of \$375,000 to fund the purchase of three (3) 6 wheel dump trucks with plow and sanders for the Department of Public Works.

The Finance committee concurred. The Selectmen concurred.

The Town Manager explained the article. These trucks will be equipped with plows and sanders to better take care of the roads in the winter.

It was moved and seconded to end debate. Motion to end debate CARRIED.

The motion as presented CARRIED.

ARTICLE 8

It was moved and seconded to reauthorize and continue the previously appropriated funds and for the purpose specified in the following specific articles previously approved by Town Meeting:

Article 25, ATM October 6, 1998 - \$200,000, Baldwin Road Sidewalk

Article 5, STM October 13, 1998 - \$50,000, Baldwin Road sidewalk

The Finance Committee voted zero in favor and nine opposed to this Article. This should be brought back in the Spring.

The Selectmen recommended this article.

Several Representatives spoke in favor of this article.

Rep. Lally moved the question. Seconded. The motion to end debate CARRIED unanimously.

The motion as presented was put to a rising vote. With ninety-one (91) voting in favor and thirty-five (35) opposed, the motion CARRIED.

ARTICLE 9

It was moved and seconded to transfer from Free Cash the amount of \$30,000 for handicapped accessibility for Town buildings.

The Finance Committee concurred. The Selectmen concurred.

This funding will primarily be used for a new handicapped ramp and entrance to the Town Hall.

The motion as presented CARRIED unanimously.

ARTICLE 10

It was moved and seconded to transfer from free cash the sum of \$50,000 to fund consulting services for the Long Range Master Planning Committee.

The Finance Committee concurred. The Selectmen concurred.

Selectman Coppinger spoke on the article.

The motion as presented CARRIED.

ARTICLE 11

It was moved and seconded to transfer from free cash the sum of \$25,000 to fund a Feasibility Study for the Telecommunications Mapping Study Committee.

The Finance Committee concurred. The Selectmen concurred.

Rep. Marc Lally spoke on the Article.

The motion as presented CARRIED.

ARTICLE 35

It was moved and seconded to extend the tenure of the Commercial Wireless Facilities Review Committee until the 2004 Annual Fall Town Meeting.

The Finance Committee concurred. The Rules Committee concurred. The Selectmen concurred.

The motion as presented CARRIED.

Rep. Moreira moved to adjourn. Seconded. The motion to adjourn CARRIED. The first session of the Annual Fall Town Meeting stood adjourned at 9:52 p.m.

A True Copy

ATTEST:

Shirley E. Schult, CMC, CMMC, Town Clerk

ANNUAL FALL TOWN MEETING
Maurice A. Buck Memorial Auditorium
Second Session - October 9, 2001

Prior to the start of Town Meeting, Karen Miller and Beverly Chorboyian were sworn in as tellers.

A quorum count was called. With one hundred thirty-three (133) Town Meeting Members present, the second session of the Annual Fall Town Meeting was declared in session at 7:35 p.m.

ARTICLE 12

It was moved and seconded to transfer from Free Cash the sum of \$25,000 to complete the inventory of the Town's fixed assets.

The Finance Committee concurred. The Selectmen concurred.

Town Manager Montuori explained the article.

The motion as presented CARRIED.

ARTICLE 13

It was moved and seconded to transfer from Free Cash the sum of \$50,000 to fund the development of a new zoning map for the Town of Billerica.

The Finance committee concurred. The Selectmen concurred.

The motion as presented CARRIED.

ARTICLE 16

It was moved and seconded to approve the expenditure of \$53,018 from the Cafeteria Revolving Account to fund the Collective Bargaining Agreement between the Town of Billerica School Committee and the American Federation of State, County and Municipal Employees, AFF-CIO, Council 93, Local 2747, Cafeteria Employees.

The Finance Committee did not recommend this Article. The percentage raise exceeds the recommended 2½% recommended for all contracts. This one is 3½% for each of the three years of the contract.

Superintendent Calabrese spoke for the contract and explained the revolving account.

Slight discussion ensued.

Rep. Peter Rawlings moved the question. Seconded. The motion to end debate CARRIED.

The motion as presented CARRIED.

ARTICLE 17

It was moved and seconded to transfer from the Stabilization Fund the sum of \$164,800 to fund the cost of additional Short Term Interest for the New Ditson School (Debt and Interest Account 33005-5200).

The Finance Committee concurred.

Dr. Calabrese explained the article.

Rep. Peter Marck moved to amend the article to read, “transfer from free cash the amount of \$164,800 for the purpose set forth in the article”. Seconded.

Rep. Dampolo moved to cut off debate on the amendment. Seconded. The motion to end debate CARRIED.

The amendment was put to a vote. The amendment LOST.

Rep. Wood moved the question on the main motion. Seconded. The motion to end debate CARRIED unanimously.

The main motion as presented CARRIED unanimously.

ARTICLE 18

It was moved and seconded to transfer from free cash the sum of \$1,229,825 to fund capital improvement projects and equipment for all the Billerica Public Schools. Seconded.

The Finance Committee recommended this article.

Dr. Calabrese explained the article.

Several Representatives questioned the time frame for doing the work.

Rep. Revane moved the question. Seconded. The motion to end debate CARRIED.

The motion as presented CARRIED.

Rep. Cangiamila moved to reconsider Article 18. Seconded. Reconsideration LOST.

ARTICLE 19

It was moved and seconded to transfer from Free Cash the sum of \$678,403 to the Land Fund.

The Finance Committee voted seven to three to recommend this Article.

Finance Committee Member Fay gave a minority report. Considerable discussion ensued.

Rep. Cavicchio moved the question. Seconded. The motion to end debate CARRIED.

The main motion as presented CARRIED.

ARTICLE 20

It was moved and seconded to transfer from Free Cash the sum of \$2,783,000 to the Stabilization Fund.

The Finance Committee recommended the article nine to one.

Rep. Mollison moved to reduce the figure by \$783,000 so that the amount to be transferred would be \$2,000,000. Seconded.

Rep. Dampolo moved the question. Seconded. The motion to end debate LOST.

Debate continued at length.

Rep. Foye moved the question. Seconded. The motion to end debate CARRIED unanimously.

The amendment by Rep. Mollison LOST.

Rep. Moreira moved the question. Seconded. The motion to end debate CARRIED.

The main motion as presented CARRIED.

ARTICLE 22

It was moved, seconded and VOTED to dismiss Article 22.

ARTICLE 26

It was moved and seconded to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain the following rights in land parcels for the purpose of obtaining secure permanent and temporary sewer easements for the construction and maintenance of a sewer line between Burnham Road and Oak Street. These easements will be on the parcels of land shown on the assessor's map 11 as parcels 70-1, 70-2, 115 and 171; and assessor's map 12, parcel 99.

The Finance Committee concurred. The Selectmen concurred. It was noted that the owner of the trailer park would be responsible for paying for the installation.

The motion as presented CARRIED unanimously.

ARTICLE 27

It was moved and seconded to authorize the Board of Selectmen to abandon a 3 ft. x 44 ft. portion of a sewer easement in the following land parcel for the purpose of the construction of an addition. This easement is on the parcel of land shown on the assessor's map 88 as parcel 89-1.

The Finance Committee concurred. The Selectmen concurred.

The motion as presented CARRIED unanimously.

ARTICLE 28

It was moved and seconded to authorize the Board of Selectmen to acquire rights in land parcels for the purpose of obtaining secure and public rights of way and/or temporary and permanent utility and right-of-way easements, for the purpose of securing rights for road improvements and/or storm drainage improvements. This action will allow the following project:

McHugh Avenue Sidewalk

Furthermore, that the Board of Selectmen may acquire these rights-of-way or easements or modifications of these through all legal means. This includes donations by owners and/or eminent domain.

The Finance Committee concurred. The Selectmen concurred.

Rep. St. George moved the question. Seconded. The motion to end debate CARRIED.

The main motion as presented CARRIED.

Rep. Pasho moved for reconsideration. Seconded. Reconsideration LOST.

ARTICLE 29

It was moved and seconded to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain the following rights in land parcels for the purpose of obtaining secure permanent and temporary sewer easements for the construction and maintenance of a sewer line for Contract 32 and 33 (River Pines).

The Finance Committee concurred. The Selectmen concurred.

The motion as presented CARRIED unanimously.

ARTICLE 32

It was moved and seconded to accept Aynsley Circle as a public way in accordance with the layout adopted by the Selectmen and on file with the Town Clerk and to authorize the Board of Selectmen to accept gifts of easements for said public way and any associated easements for drainage or other purposes.

The Finance Committee concurred. The Street Acceptance Committee concurred. The Planning Board recommended acceptance.

The motion as presented CARRIED.

ARTICLE 33

It was moved and seconded to accept Bennett Circle as a public way in accordance with the layout adopted by the Selectmen and on file with the Town Clerk and to authorize the Board of Selectmen to accept gifts of easements for said public way and any associated easements for drainage or other purposes.

The Finance Committee concurred. The Street Acceptance Committee concurred. The Planning Board recommended acceptance.

The motion as presented CARRIED.

ARTICLE 34

It was moved and seconded to accept Minton Road as a public way in accordance with the layout adopted by the Selectmen and on file with the Town Clerk and to authorize the Board of Selectmen to accept gifts of easements for said public way and any associated easements for drainage or other purposes.

The Finance Committee concurred. The Street Acceptance Committee concurred. The Planning Board recommended acceptance.

The motion as presented CARRIED.

ARTICLE 36

It was moved and seconded to form a committee of nine (9) members. Eight of these members to be appointed by the Moderator, six from Veterans Organizations in Billerica, one Town Meeting Member, one Finance Committee member, one Member of the Board of Selectmen appointed by the Board of Selectmen and one member from the Veteran's Affairs Office as an ex-officio member; to look at constructing a WWII Veterans Memorial and report back to the Spring Town Meeting; or act in relation thereto.

The Finance Committee concurred. The Rules Committee concurred. The Selectmen concurred.

The motion as presented CARRIED.

ARTICLE 38

It was moved and seconded to establish an "Adequate Access By-Law Review Committee" to review Article 4.1 of the Town's General By-Laws. The purpose of this committee is to review and clarify what the intent was of Town Meeting in establishing this By-Law with due consideration of its impact on all residents and make a report no later than 2002 Fall Town Meeting. For purposes of making this committee responsive to all concerns, the committee will consist of one member of the Board of Selectmen or their designee; one member of the Planning Board or their designee; the DPW Director or his

designee; a member of the Billerica Chamber of Commerce, a member of the By-Law Review Committee, a member of the Rules Committee, and three (3) Town Meeting members or residents appointed by the Town Moderator.

The Finance Committee concurred. The Rules Committee concurred. The Selectmen concurred.

The motion as presented CARRIED unanimously.

ARTICLE 42

It was moved, seconded and VOTED to make Article 42 the last order of business at this Town Meeting.

A quorum count was called. With one hundred twenty-two (122) Town Meeting Members in the hall, the meeting was in session.

Rep. Moreira moved for adjournment. Seconded and so VOTED.

The second session of the Annual Fall Town Meeting stood adjourned at 9:39 p.m.

A True Copy

ATTEST:

Shirley E. Schult, CMC, CMMC, Town Clerk

**ANNUAL FALL TOWN MEETING
Maurice A. Buck Memorial Auditorium
Third Session - October 9, 2001**

A quorum count was called. With one hundred thirty-five (135) Town Meeting Members present, the third session of the Annual Fall Town Meeting was called to order at 7:36 p.m.

ARTICLE 23

It was moved and seconded to accept General Laws Chapter 44B Sections 3-7 known as the Community Preservation Act, which establishes a special "Community Preservation Fund" that may be appropriated and spent for a certain open space, historic resources and affordable housing purposes, to approve a property tax surcharge in the amount of three percent of the taxes assessed annually on real property which shall be dedicated to the fund, such surcharge to be imposed on taxes assessed for fiscal years beginning on or after July 1, 2002, and to exempt from the surcharge \$100,000 of the assessed valuation of Class One, Residential parcels.

The Finance Committee voted zero (0) in favor and ten (10) opposed to this article. The Selectmen voted two (2) in favor and three (3) opposed to this article.

Mary McBride, Chairperson of the Community Preservation Act Study Committee gave a report of the Committee. The Committee voted three (3) in favor and seven (7) opposed to recommending this article.

Committee Member Ramos gave a minority report.

It was moved, seconded and VOTED to allow James Perry, an interested teenager, to come forward to speak on the article. He spoke against passage of this article.

Much discussion ensued. Those Representatives speaking for passage of the article stated that it would (1) lower taxes in the long run, (2) preserve land for recreational and open space use, (3) could impact affordable housing and (4) give the voters the ability to make a decision.

Reasons given by opponents were (1) the Townspeople can not afford it, (2) this would amount to a 3% tax increase, (3) given the present state of the economy, State reimbursements are very uncertain and (4) there are no set priorities or plans as to the use of these funds.

Rep. Revane moved to end debate. Seconded. The motion to end debate CARRIED. The motion as presented LOST.

Rep. Dampolo moved to reconsider Article 23. Seconded. Reconsideration LOST unanimously.

ARTICLE 37

It was moved and seconded to authorize the Board of Selectmen to petition the General Court to enact legislation to exempt those municipalities, which do not accept the Community Preservation Act from paying the additional fees levied by the Registry of Deeds under Section 8 of said Act, which adds an additional charge of \$20.00 to nearly every document recorded.

The Finance Committee concurred.

With one hundred forty-five (145) voting in favor and six (6) opposed, the motion CARRIED.

ARTICLE 39

It was moved and seconded to adopt the revised General By-Laws as recommended by the General By-Law Review Committee which is attached hereto and incorporated therein in accordance with Section 7-9 of the Charter and incorporating the corrections/additions noted in the handout made available to Town Meeting at the first session.

Article I

1. Section 2.6E: Strike out the revised section and revert back to original language

“If an article references Federal or State law, a summary thereof shall be included in the warrant.”

Article II

1. Reinstate Section 1.4 under the heading “Selectmen” which reads “The Selectmen shall not make appointments to the office of “Constable of Billerica” to a resident of another city or town if that city or town will not appoint Billerica residents who hold office of Constable in their city or town. “ and move the section to Section 10.3 Constables of the new Article II
2. Add to Article II, Section 1 – Town Accountant:
“1.3 Ex-officio: The Town Accountant shall be an ex-officio member of the Finance Committee.”
3. Add to Article II after the last line in General Section B:
“This provision shall also not be construed as to prohibit meetings of multiple member bodies held in conjunction with Town Meeting. (i.e. Board of Selectmen, Finance Committee, Planning Board.)”
4. Section 40.1 – Add the following to the beginning of the first line:
“Pursuant to M.G.L. Chapter 258 Section 13, the”
5. Section 12.2: Strike “and/or taxpayer” from the last line

Article III

1. Section 5.1: Insert: “the provisions of M.G.L. Chapter 30B and upon” after the words “Subject to” in the first line.

Article IV

1. Section 3.8A: add “The Board of Selectmen may adopt rules and regulations governing such appeals” at the end of the line.
2. Section 3.8.B: insert “of the Board of Selectmen” after the word “Failure” in the first line.
3. Section 3.9: add “or Massachusetts General Law” to the end of the sentence.

Article V

1. Section 2.3.J: replace “3.2C” with “2.3C and 2.3H” in the last line
2. Section 3.1 Enforcement: add the following after the last line:
“This By-Law may also be enforced by non-criminal procedure. The Building Inspector shall be the enforcing agent of the Town.”

Article VII

Section 2.15 Damage Caused by Dogs – next to last paragraph that begins with “The Board of Selectmen, or their agents” replace “3.B.1” in the last line of the paragraph with “3.2”.

SCRIBNERS ERRORS

1. **Article I Section 2.4** – add the word “is” between the words “house” and “called” in the first sentence.
2. **Article I Section 2.5** – Add the words “to motions” between the words “amendments” and “shall” in the last line.
3. **Article I Section 2.6** – Add the word “at” between the words “session” and “which” and add the word “upon” in place of the word “on” in the second line.
4. **Article I Section 2.6C** – Add the word “waive” in place of the word “override” in the first line.

5. **Article I Section 2.14** – Add the word “edition” in place of the word “addition” in the second line.
 6. **Article I Section 4.4B** – Add the word “for” between the words “article” and “which” in the second line.
 7. **Article I** – Stricken Finance Committee Section – Change to read “Section was moved to Article II Section 12”.
 8. **Article I Section 5.1B** – Add the word “such contracts” in place of the word “any” in the fifth line.
 9. **Article II Section 6.2** – add the word “Manager” in place of the word “Moderator” in the second line.
 10. **Article III Sections 6.1** – Referenced sections should read “6.3 and 6.5”.
Sections 6.5A and 6.5B - Referenced sections should be “6.3”
 11. **Article III Sections 6.2 and 6.4** – Referenced section should read “Article 16.”
 12. **Article III Section 6.4A** – Should read Article III Section 6. Also add “of the By-Laws” to the end of the sentence.
 13. **Article IV Section 6** – Insert the word “Road” in place of the word “Rod” in the second line.
 14. **Article IV Section 7.1** – Capitalize the word “Board” in the second line.
 15. **Article IV Section 3.3B, 4.2, 4.3, 5.3A, 5.3B and 5.9** – Remove the strike-through from the words “Director of”.
 16. **Article VII Section 2.15** – Remove the strike-through in the heading “Damage Caused by Dogs”
 17. **Article X Section 1D** – Strike severability clause
 18. **Article XI** – Strike the word “Board’s” in the fourth line.
 19. **Article XV** – Referenced Chapter should be “40”.
- Severability Clause** – Replace the word “this” with the word “these” and add an “s” to the word By-Law in the first, second and last lines.

The Finance Committee concurred. The Rules Committee recommended.

General By-Law Committee Chairman Gagliardi explained the changes in the General By-Laws.

The Moderator read the Article numbers and anyone wishing to speak on that Article placed a hold on that item.

Rep. Moreira moved to ratify all sections of Article 39 not held for discussion. Seconded. The motion LOST.

Article I

Rep. Jan Wetzel moved that the words “and on the Town’s website. Any defects in the posting of the notice on the Web site shall not invalidate the notice requirement of this By-Law” be added to Sections 1.3, 4.2B and D, 4.5 and 4.5.6 and 6.1. Seconded. This amendment CARRIED.

Rep. Blanchette moved to amend Section 6.2 by replacing the first sentence to read as follows:

“At least sixty five (65) days before the Town Meeting is scheduled to meet in its Spring Session, the School Superintendent shall file with the Town Manager and provide for publication of a proposed, detailed and ratified, operating budget for the ensuing fiscal year. Also to add at the end of the Section 6.2 the following: “The proposed school budget shall also be posted on the Town’s web site. Any defect in the posted notice on the Town’s website shall not invalidate the notice requirement of the By-Law.” Seconded.

Rep. Cavicchio moved to cut off debate. Seconded. The motion to end debate CARRIED. The amendment presented by Rep. Blanchette CARRIED.

Section 2.6 – A scribner’s error was noted “it’s” should be “its”

Section 2.7A –Rep. Moreira moved to amend this section by adding “or raise his/her hand” after “shall stand”. Seconded. With forty-two (42) in favor and sixty-seven (67) opposed, the amendment LOST.

It was moved and seconded to accept Section 2.7A as printed in the warrant. The motion CARRIED.

Rep. Lally moved to reconsider Section 2.7A. Seconded. Reconsideration CARRIED.

Rep. Marck moved to amend 2.7A by inserting “or raise their hand”. Seconded. The amendment CARRIED.

Section 2-11: It was moved, seconded and VOTED to discuss Section 2-11 at the end of this Article.

Article II

Rep. John McKenna moved to amend Article II Section 20.4 – Town Manager Screening Committee makeup (first paragraph) by inserting the words “the Rules Committee” at the end of the first sentence. Also to amend the second sentence by inserting the words “the Rules Committee” after the “Personnel Board” and after the words “choose three (3) persons,” the words “ the Personnel Board and the Rules Committee shall choose one (1) person”. Seconded. The amendment CARRIED

Section 18: Selectman Coppinger moved to amend Article II Section 18 by deleting Section 18 in its entirety and replacing it with Article 14 of this By-Law in its entirety and renumbering the Section accordingly. Seconded. The motion CARRIED.

Article VI

Section 7.2.A – It was moved and seconded to strike the words “and property”. The amendment LOST.

Section 13.C – change the word “possession” to “person”. Seconded the amendment CARRIED.

Article XVI

Section 4 – Rep. Wetzel moved to add a new section to read: “F. posted on the town’s web site. Any defect in the posted notice on the Web site shall not invalidate the notice requirement of this by-law.” Seconded. This amendment CARRIED.

Article XVII

Rep. Chorbojian moved to amend Article XVII by striking sections 2, 4, 5, 6 and 7. Seconded.

Much debate ensued.

Rep. Dampolo moved to end debate. Seconded. The motion to end debate CARRIED.

The motion to strike sections 2, 4, 5, 6 and 7 LOST.

Rep. Morrissey moved to reconsider this article. Seconded.

Rep. Moriera moved to end debate. Seconded. The motion to end debate CARRIED.

The motion to reconsider LOST.

Article I

Section 2.11 – Rep. Ralph McKenna moved to amend this section by adding the sentence “Any proponent requesting reconsideration shall be required to state the reasons for reconsideration”. Seconded.

Rep. Moreira moved the question. Seconded. The motion to end debate CARRIED.

The amendment by Rep. McKenna CARRIED.

Rep. Moreira moved to renumber and re-codify all Articles to reflect the repositioning of Article 14. Seconded. The motion CARRIED.

Rep. Moreira moved to ratify and affirm all action taken on Article 39. Seconded. The motion CARRIED.

It was moved, seconded and VOTED to adjourn. The third session of the Annual Fall Town Meeting stood adjourned at 10:32 p.m.

A True Copy

Shirley E. Schult, CMC, CMMC, Town Clerk

ANNUAL FALL TOWN MEETING
Maurice A. Buck Memorial Auditorium
Fourth Session - October 11, 2001

A quorum count was called. With one hundred twenty-three (123) Town Meeting Representatives present, the fourth session of the Annual Fall Town Meeting was declared in session at 7:37 p.m.

John Glennon, President of BATV Board of Directors presented the First Amendment Award to Joanne Giovino.

ARTICLE 59

It was moved, seconded and VOTED to move Article 59 to the next to the last order of business at this Town Meeting.

ARTICLE 40

It was moved and seconded to repeal the General By-Laws of 1994 including all amendments through September 30, 2001.

The Finance Committee concurred. The Rules Committee concurred.

The motion as presented CARRIED.

ARTICLE 41

It was moved and seconded to extend the tenure of the General By-Law Review Committee until the 2002 Annual Spring Town Meeting.

The Finance Committee concurred. The Rules Committee recommended.

The motion as presented CARRIED.

ARTICLE 48

It was moved and seconded to rezone from a General Business District to a Garden Style Apartment Residence (Multi-family) District residence district the whole of land owned by Jack F. and Judith E. Dempsey on Charnstaffe Lane in said Town bounded and described as follows:

Two certain parcels of land with the buildings thereon situated in Billerica, Middlesex County, Commonwealth of Massachusetts bounded and described as follows:

PARCEL I:

Land on Charnstaffe Lane, so-called, as follows:

Beginning at the northeast corner of the premises at a stake at the corner of the wall and the outlet of the drain at land formerly of Paul Holt;
Thence running westerly on said Charnstaffe Lane, 152 feet to a stake and stones;

Thence running southerly at an angle of 92°34', 165 feet to a stake and stones;
Thence running easterly at an angle of 89°, 132 feet to a stone bound;
Thence running northerly at an angle 92°44', 145 feet to a stake;
Thence northwesterly at an angle of 210°36' along a wall 28.5 feet to the point of the beginning.

PARCEL II

Land on Charnstaffe Lane, bounded and described as follows:

Northerly	By Charnstaffe Lane, fifty-five and 38/100 (55.38) feet;
Easterly	One hundred sixty-five (165) feet;
Northerly	One hundred thirty-two and 50/100 (132.50) feet;
Westerly	One hundred forty-five and 20/100 (145.20) feet; and
Northwesterly	Twenty-eight and 50/100 (28.50) feet by land now or formerly of Jack F. Dempsey, et al;
Northerly	By Charnstaffe Lane, seventy and 23/100 (70.23) feet;
Easterly	By lands of sundry adjoining owners, three hundred fifty-nine and 16/100 (359.16) feet;
Southerly	By land now or formerly of Robert D. McLean, et al, sixty-three and 13/100 (63.13) feet;
Easterly	By said land now or formerly of Robert D. McLean, et al, and by land now or formerly of Clarence W. Cunningham, et al, one hundred eighty-one and 33/100 (181.33) feet;
Southerly	By said land now or formerly of Clarence W. Cunningham, et al, three hundred eighty-two and 67/100 (382.67) feet;
Westerly	One hundred eighty-eight and 79/100 (188.79) feet;
Northerly	Thirty-three and 60/100 (33.60) feet; and
Westerly	Three hundred seventy-four and 22/100 (374.22) feet by land now or formerly of Ralph I. Hallenborg.

All of said boundaries are determined by the Land Court to be located as shown on a plan drawn by Fleming, Bienvenu & Associates, Inc. Surveyors, dated August 24, 1982, being Plan No. 41196-A, as modified and approved by the Court.

The Finance Committee voted nine (9) in favor and two (2) opposed to recommend this Article. The Planning Board Chairman gave the report of the public hearing held on September 10, 2001. Due notice was given in the Billerica Minuteman on August 23 and August 30, 2001. On a positive motion to recommend, the Board voted five (5) in favor and two (2) absent. The Board concluded that this is an appropriate location for townhouses given its proximity to shopping and services.

Vivian Chaput, developer of the proposed project, gave a presentation. The plans call for 22 townhouses plus five apartments that will be added to the existing house for a total of 27 units on the 4.2 acres.

Slight discussion ensued.

Rep. Dresser moved the question. Seconded. The motion to end debate CARRIED.

The motion as presented was put to a rising vote. With one hundred sixteen (116) voting in favor and nine (9) opposed, the motion CARRIED.

Rep. Dampolo moved for reconsideration. Seconded. With zero (0) in favor and ninety-one (91) opposed, reconsideration LOST.

ARTICLES 61 and 62

It was moved, seconded and VOTED to bring Articles 61 and 62 forward at this time.

ARTICLE 61

It was moved and seconded to amend the Zoning By-Laws by deleting Section 9 concerning signs and Lighting and replacing it with a new Section 9 so that it is will read:

SECTION 9. SIGNS AND LIGHTING

A. PURPOSE OF SIGNS AND LIGHTING REGULATIONS

The purpose of regulating signs and lighting is to:

1. Permit signs that will, by reason of their location, shape, size or color, protect the public health, safety, and welfare;
2. Complement land uses to which a sign is related;
3. Promote economic development and growth;
4. Preserve and enhance the aesthetic environment;
5. Provide uniform standards and processes for governing the erection, change, alteration, and removal of signs; and
6. Ensure consistent enforcement

B. IN GENERAL

1. Definition of a Sign: A sign includes any letter, word, symbol, drawing, picture, design, device, flag, banner, pennant, article, light, or object that is designed to advertise, inform, direct, or attract attention to or indicate any premises, person, or activity.
2. Applicability: All signs and lighting are subject to this Zoning By-law and shall be considered structures for which a variance may be sought, if prohibited by this Zoning By-law. All signs and lighting shall comply with such other provisions of this Zoning By- law, as deemed applicable by the Inspector of Buildings.
3. Application for a Sign Permit:
 - a. All persons desiring to erect, change, or alter a sign shall apply to the Inspector of Buildings for a sign permit, unless a permit is not required by this Zoning By-law.
 - b. All signs associated with uses permitted by special permit or site plan review special permits shall be permitted by special permit also.
 - c. No sign shall be changed or altered in size, shape, construction, location, or illumination, except in compliance with this Zoning By-law.

- d. Changing background colors, re-lettering and using the same color, or maintaining a sign shall not be considered a change or alteration of a sign.
 - e. All applications for sign permits shall include a drawing to scale showing the following:
 1. The proposed sign including the proposed size, shape, location, coloring and lettering;
 2. All existing signs maintained on the premises;
 3. A plot plan and a sketch of the building facade indicating the location of the proposed and any existing signs; and
 4. Site distances from adjacent streets to proposed signs
 - f. If a proposed sign complies with this Zoning By-law, the Inspector of Buildings shall assign such sign a unique serialized sign number, where the first two digits represent the year of issuance of the sign permit.
4. Signs and Lighting Cannot Interfere with Traffic: No signs or lighting shall by reason of their location, shape, size or color interfere with traffic or be confused with or obstruct the site distance or the effectiveness of any official traffic sign, traffic signal, or traffic marking. Red, green, and yellow signs that interfere with or cause confusion with respect to any official traffic sign, signal, or marking are prohibited. All signs and lighting shall have a minimum setback of 10 feet from all property lines. The Inspector of Buildings may require a greater setback from a street based on necessary site distance for the class of a street and speed on such street as set forth in the current edition of the Massachusetts Highway Department Manual.
 5. Maintenance: Every sign shall be maintained in good condition. If a sign shows corrosion or deteriorated paint over 25% of the area of one side; or if damage to the sign causes a loss of 10% of its substance; or if the sign suffers damage or deterioration which creates a risk of harm to the person or property of another; or if the establishment is no longer in business, such sign shall be repaired or removed by the property owner.
 6. Area of a Sign: Sign area shall be the smallest, regularly-shaped ellipse or rectangle that will encompass the extreme limits of the writing, representation, emblem, or other display together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop, building, or structure against which it is placed. Sign supports shall be excluded in determining the area of a sign. A double-faced sign having the identical message on both sides shall be considered to have the area of a single face.

C. DEFINITIONS

As used in this Zoning By-law, sign types shall be defined as follows:

1. Architectural. A sign that is an integral, decorative or architectural feature of a building, which may include letters or numbers relating to the building.
2. Artisan's. A temporary sign of a mechanic, painter, or other artisan performing work to the premises on which the sign is located.

3. Awning. A temporary or permanent covering or shelter which is supported entirely from the exterior wall of a building.
4. Banner. A temporary sign made of a piece or strip of cloth, paper, canvas, plastic or similar material, on which a message, slogan or emblem is painted, drawn or otherwise projected, colored, or shaped with no enclosing framework.
5. Billboard. Any sign or other advertising device subject to licensing by the State Outdoor Advertising Board, or signs subject to the provisions of M.G.L., ch. 93, §§ 29-33 or ch. 93D.
6. Construction. A temporary sign located on the premises where construction or development is taking place and which identifies the contractors, engineers, architects, and financial institutions that are involved in projects
7. Directory. A sign listing the occupants of a building and the street address or room number of the occupants.
8. Filling station. A combination of signs permitted in the Business District only, including movable letter motor vehicle fuel price signs; signs indicating separate operations or departments on the premises, such as a mini market; and brand or name of motor vehicle fuel being sold.
9. Governmental. A sign erected by or on behalf of or pursuant to the authorization of a governmental body, or required by any law, governmental order or regulation, including legal notices; identification and informational signs; and traffic, directional, or regulatory signs.
10. Home occupation. A sign that identifies a home occupation in any residential district.
11. Identification. A sign that indicates the place name and address of a use, building or structure in a Multi-family District.
12. Industrial directory. A sign that identifies the occupants in an industrial development.
13. Institutional. A type of freestanding sign for a religious or educational institution.
14. Monument. A low-profile freestanding sign erected with a wide base on the ground.
15. Moveable letter or message board. A temporary or permanent sign on which the letters are temporary and interchangeable, but not including changeable letters in a filling station sign, governmental sign, or institutional sign.
16. Portable. A sign that is constructed of any material and is designed to be easily relocated from one location to another, whether or not it is fastened to any object, vehicle, trailer, building or staked to the ground in any manner at any given time.
17. Projecting. A sign that is attached to a building and is not parallel to any wall to which it is attached. A sign in contact with the ground is not a projecting sign.
18. Real estate. A temporary sign advertising the sale, rent or lease of the property on which it is located.
19. Real estate subdivision. A sign that advertises the sale of land or a building for a whole subdivision.
20. Roof. A sign erected upon and above a roof structure and wholly supported by the roof structure or a structure placed upon the roof. Roof signs shall also constitute

any signage placed upon sloped building faces intended to appear as or actually be roof elements of the building.

21. Traffic flow. A sign that directs and guides traffic and parking on private property, which bears no advertising matter, symbols, or other characteristics of a sign.
22. Wall. A sign fastened, placed or painted upon or parallel to the exterior wall of the building or structure itself, whether front, rear, or side of the building or structure.
23. Window. A sign placed on or within 2 feet of any glass or transparent area of a window or door.

D. SIGNS NOT REQUIRING A PERMIT

The following types of signs may be erected, changed, or altered without a sign permit:

1. One, maximum 1 square foot non-commercial sign per residential lot.
2. One, maximum 6 square foot real estate sign. Such sign shall be removed from the property immediately after the transfer of real estate takes place.
3. One, maximum 12 square foot construction sign in a Multi-family, Townhouse, or Elderly Housing District or for an assisted living residence.
4. Signs of a maximum size of 24" x 30" within a street right-of-way erected for the purpose of identifying that a particular sponsor is a participant in the Adopt-A-Street Program.
5. Signs of a maximum size of 24" x 30" on public property or property of a similar nature erected for the purpose of identifying that a particular sponsor is maintaining the property.
6. Flags or insignia of any governmental or nonprofit organization when not displayed in connection with a commercial promotion or as an advertising device.
7. A governmental sign
8. Signs carried by hand
9. Traffic flow signs, which shall not exceed 3 square feet in area and 4 feet in height, except that standard traffic control signs consistent with state and federal transportation regulations and also recommended by the Chief of Police, such as stop, one-way, yield, merge, and the like, shall not be subject to the dimensional limitations, but shall be the standard size permitted by such state and federal regulations.
10. Handicapped parking space signs, as required by M.G.L., Ch. 40, § 21 (23) (b), as amended, shall be identified by the use of above grade signs with white lettering against a blue background and shall bear the words "HANDICAPPED PARKING: Special Plate Required. Unauthorized Vehicle May Be Removed at Owner's Expense."
11. An official sign of a non-commercial nature erected by a public utility.
12. One square foot "circa" sign indicating the year of construction and located on historic buildings.

E. PROHIBITED SIGNS

The following types of signs are prohibited in all zoning districts:

1. Signs which incorporate in any manner flashing, moving or intermittent lighting, excluding public service signs showing time and temperature, excluding school zone or signs pertaining to a safety feature.
2. Neon signs.
3. Wind signs, including pennants, spinners, streamers, and other wind actuated components.
4. String lights used in conjunction with commercial premises with the exception of temporary lighting for holiday decoration.
5. Signs erected so as to obstruct any door, window that opens, or fire escape.
6. A billboard or off-premise sign owned by a person, corporation or other entity engaged in the business of selling advertising space on that sign.
7. Banners, unless declared by the Board of Selectmen to provide a public service, in which case the sign shall be permitted without a permit.
8. Portable signs.
9. Roof signs.
10. Moveable letter or message board signs.

F. SIGNS PERMITTED IN EACH ZONING DISTRICT

The following types of signs are permitted in the various zoning districts as set forth below:

1. Residential Districts (Village Residence, Neighborhood Residence, Rural Residence, Multi-Family Residence):
 - a. Artisan's
 - b. Construction
 - c. Directory for multi-family uses
 - d. Home occupation
 - e. Identification
 - f. Institutional
 - g. Real Estate
 - h. Real Estate Subdivision
2. Business Districts (Neighborhood Business, General Business, Commercial)
 - a. Architectural
 - b. Artisan's
 - c. Awning
 - d. Construction
 - e. Directory
 - f. Filling Station
 - g. Institutional
 - h. Monument
 - i. Projecting
 - j. Real Estate

- k. Real Estate Subdivision
 - l. Wall
 - m. Window
3. Industrial District
- a. Artisan's
 - b. Construction
 - c. Industrial Directory
 - d. Institutional
 - e. Monument
 - f. Real Estate
 - g. Real Estate Subdivision
 - h. Wall
4. All signs permitted in the Industrial District shall be permitted in the Specialty Districts (Refuse Transfer Station, Private & Public Dumping Ground, Alcohol & Drug Rehabilitation Hospital, Composting, Adult Entertainment).
5. All signs in Overlay Districts (Flood Plain, Historic, Residential Cluster, Townhouse, Elderly Housing, and Self-Service Storage Facility) shall comply with the sign regulations for the underlying district.

G. SIGN REQUIREMENTS

Prior to issuance of a sign permit, each sign type shall comply with the following requirements:

1. Architectural
The maximum area of such sign shall not exceed 2 square feet per linear foot of the building wall on which the sign appears.
2. Artisan's
The maximum area of such sign shall not exceed 16 square feet.
Such sign shall be removed promptly upon completion of the work.
3. Awning
 - a. The awning shall fully fill the width of a window or door opening.
 - b. A continuous awning shall be supported at points on the piers and at the bottom of the frieze.
 - c. There shall be a minimum clearance of 7 ½ feet above the sidewalk or driveway to the bottom of the awning frieze.
 - d. No more than 30% of the awning area shall be occupied with graphics and lettering.
 - e. Graphics and lettering shall be a maximum height of 3 feet.

4. Construction

- a. The maximum area of such sign shall not exceed 20 square feet.
- b. No dimension shall exceed 10 feet.
- c. All construction signs shall be removed 10 days after issuance of the final use and occupancy permit.

5. Directory

- a. The maximum area of such sign shall not exceed 54 square feet.
- b. No dimension of such sign shall exceed 9 feet.
- c. A directory wall sign for a multiple-tenant establishment shall be affixed to a first story, exterior wall of the building in which the multiple tenants are located; and the sign shall be comprised of only those establishments that choose to be represented and only those establishments that are situated with their main building entrance lying approximately perpendicular to the frontage street.
 - (1) A multiple-tenant establishment is a building composed of three or more independent and physically separate business establishments where all access and egress is exclusively to/from the outdoors and not to/from any other establishment.
 - (2) A directory wall sign is comprised of a group of individual signs or changeable plates relating to each individual establishment within the multiple-tenant establishment.
 - (3) Each individual sign shall not exceed 1 foot in height and 3 feet in width.
 - (4) The aggregate sign area shall not exceed 6 feet in height and 9 feet in width.

6. Filling Station Sign

- a. In the case of a freestanding sign usage, the display surface area shall be located under the freestanding landscaped sign and the price sign shall not be more than 1 foot in height.
- b. The display surface area of a wall sign shall not be more than 12 square feet, or for a free standing sign, more than 7 square feet.
- c. Only one price sign is permitted per site and no more than four different motor vehicle fuel prices may be comprised of movable letters.
- d. Changes in motor vehicle fuel prices may be made without a sign permit.
- e. The standard unlighted, moveable letter motor vehicle fuel price sign attached to each pump shall have a display surface that complies with state requirements.
- f. The standard type of motor vehicle fuel pump, bearing thereon the unlighted name or type of fuel being sold, shall not be deemed to be a sign within the meaning of this Zoning By-law.

7. Home Occupation

- a. In all residential districts, one sign shall be permitted to identify a home occupation.
- b. The maximum size of such sign shall not exceed 2 square feet.
- c. The maximum height of such sign shall not exceed 5 feet.
- d. Such sign shall be externally lit if lighting is provided.

- e. The sign and any associated landscaping shall be located a minimum of 10 feet from all property lines, and where deemed necessary by the Inspector of Buildings, the setback shall be increased so that the sign and associated landscaping does not obstruct views from or onto other properties or site distance of a driver of oncoming, intersecting, or merging traffic.

8. Identification

- a. In the Multi-Family Residence, Townhouse Overlay, and Elderly Housing Overlay Districts, a single identification sign shall be permitted for any multi-family residential use not exceeding 12 square feet and located at the entrance to the development.
- b. The maximum height of such sign shall be 5 feet to the top of the sign above the mean finished grade where the sign is located.
- c. No more than one sign shall be placed upon any property, unless such property fronts upon more than one street, in which case one sign may be erected on each frontage.
- d. Identification signs shall contain the street address of the property using minimum 6-inch letters.

9. Industrial Directory

The Zoning Board of Appeals may issue a special permit for an industrial development sign to identify multiple properties within an industrial subdivision or development after hearing and making the following findings:

- a. The sign is located on private property adjacent to a main thoroughfare at an entrance to an industrial development or subdivision;
- b. The sign identifies occupants of the industrial development or subdivision;
- c. The maximum height of the sign does not exceed 11 feet above the mean finished grade where the sign is located;
- d. The maximum width of the sign does not exceed 12 feet; and
- e. The individual identification placards for each tenant shown on the industrial directory sign are uniform in size and shape.

10. Institutional

- a. The maximum area of such sign shall not exceed 24.5 square feet.
- b. The maximum vertical dimension of the sign shall be 8.5 feet.
- c. The minimum height of such sign shall be 5 feet to the bottom of the sign above the mean finished grade where the sign is located.
- d. Religious symbols shall not be deemed to constitute signs.
- e. If used, the area of a bulletin board shall be included in the dimensional regulations of the sign.
- f. Only one institutional sign that is freestanding shall be permitted on each site.
- g. The sign shall contain the street number or street address of the property on which it is located using minimum 6 inch letters.

11. Monument

- a. The maximum message area of such sign shall not exceed 28 square feet in the business and industrial districts and shall include the place name, if applicable, and street address using minimum 6-inch letters.
- b. The maximum height of such sign shall not exceed 5 feet to the top of the sign above the nearest pavement grade.
- c. The maximum width of such sign shall be 7 feet.
- d. The sign structure shall consist of a brick or masonry construction, complete with an adequate footing.
- e. The sign message area shall be comprised of only one flat face or two parallel flat faces limited to a maximum thickness of 2 feet from face to face.
- f. The sign shall be located a minimum of 10 feet from all property lines, and where deemed necessary by the Inspector of Buildings, the setback shall be increased so that the sign and associated landscaping does not obstruct views from or onto other properties or site distance of a driver of oncoming, intersecting, or merging traffic.
- g. All monument signs shall be landscaped with well-maintained plantings 10 feet around the entire base of the sign.
- h. There shall be only one monument sign permitted on the site on which the sign is located.

12. Projecting

- a. The maximum area of such sign shall not exceed 6 square feet.
- b. Only one such sign is permitted for each business.
- c. The sign shall not project more than 3 feet from the building.
- d. The sign shall be hung at a 90 degree angle from the face of the building or structure to which it is attached.
- e. The bottom of the sign shall have a minimum clearance of 10 feet above a pedestrian walkway or sidewalk or 15 feet above a vehicular driveway.
- f. The sign shall not encroach into minimum yard areas.

13. Real Estate

- a. The maximum area of such sign shall not exceed 6 square feet in residential districts.
- b. The maximum area of such sign shall not exceed 32 square feet in non-residential districts.
- c. Only one sign shall be permitted per lot.
- d. The sign shall be removed immediately after completion of the sale or lease of the real estate.

14. Real Estate Subdivision

- a. The maximum area of such sign shall not exceed 32 square feet.
- b. No dimension shall be greater than 8 feet.
- c. Only one sign shall be permitted to face each street that abuts the tract of land subdivided.

- d. The sign shall be solely to advertise the selling of land or buildings thereon in said subdivision.
- e. The sign shall be removed immediately after completion of the sale or lease of the real estate.

15. Wall

- a. The maximum area of such sign shall not exceed 3 square feet for each linear foot of the building face on which the wall sign is affixed.
- b. The maximum height is 3 feet.
- c. One principal wall sign is permitted on the front of the establishment to which it relates.
- d. A secondary wall sign may be installed marking a direct entrance on a parking lot or another street in addition to the front wall sign. There shall be no more than two such secondary wall signs. Said sign shall have a width no greater than 50% of the width of the principal wall sign.
- e. Wall signs shall be affixed to a wall and parallel to it.
- f. No wall sign shall project more than 12 inches from the face of such wall.
- g. In cases where a building has multiple establishments, wall signs must be of a uniform height and lettering. Such signs may only be located in the space permitted for single-establishment buildings.

16. Window

- a. Combined window signage shall not exceed 30% of the total glass area of the window and/or door to which the signage is related.
- b. All window signs shall be temporary and removable.

H. SUMMARY OF SIGN TYPES PERMITTED IN EACH ZONING DISTRICT

Within the zoning districts listed below, the type of signs permitted include:

DISTRICTS

SIGN TYPE	Residential	Business and Commercial	Industrial	Specialty
ARCHITECTURAL	NO	YES	NO	NO
ARTISAN'S	YES	YES	YES	YES
AWNING	NO	YES	NO	NO
CONSTRUCTION	YES	YES	YES	YES
DIRECTORY	YES	YES	NO	NO
FILLING STATION	NO	YES	NO	NO
HOME OCCUPATION	YES	NO	NO	NO
IDENTIFICATION	YES	NO	NO	NO
INDUSTRIAL DIRECTORY	NO	NO	YES*	YES*
INSTITUTIONAL	YES	YES	YES	YES
MONUMENT	NO	YES	YES	YES
PROJECTING	NO	YES	NO	NO

REAL ESTATE	YES	YES	YES	YES
REAL ESTATE SUBDIVISION	YES	YES	YES	YES
WALL	NO	YES	YES	YES
WINDOW	NO	YES	NO	NO

*** Permitted by special permit from the Board of Appeals, as set forth under the specific requirements for an Industrial directory sign.**

I. NUMBER OF SIGNS PERMITTED

1. No property shall have more than two signs unless a special permit is granted by the Board of Appeals if it finds that such additional sign will not be detrimental to the neighborhood and that such sign is necessary to properly advertise or identify the use or uses proposed on the property.
2. A multiple-tenant establishment may have one sign on the site for the multiple-tenant establishment identifying the place name, if applicable, and street address; and each tenant within the multiple-tenant establishment may have two signs advertising its business or establishment. A directory wall sign for the multiple-tenant establishment is also permissible if such sign complies with the requirements in this section for a directory sign for a multiple-tenant establishment.
3. Only one monument sign shall be permitted on a site.

J. ILLUMINATION AND LIGHTING

1. Signs may be externally or internally illuminated, unless otherwise provided by the Zoning by-law.
2. The light from any sign shall be so shaded, shielded, or directed or shall be maintained at a sufficiently low level of intensity and brightness that it shall not adversely affect neighboring premises, reflect or shine on or into residential lots, or impair the safe vision of operators of vehicles moving on public roads and highways.
3. No illumination shall be permitted which casts glare beyond the perimeter of the property on which the sign is located.
4. Light bulbs shall be enclosed in a housing, can, sleeve, or other container.
5. The illumination of any sign shall not exceed seventy-five (75) foot lamberts. A written certification of the foot lamberts of each illuminated sign shall be obtained from a licensed electrician, the sign manufacturer or a qualified consultant, which certification shall accompany the sign permit application and the sign shall be maintained in conformance to this certification.
6. No internal or external sign illumination is permitted between the hours of 12:00 midnight and 6:00 A.M., except for signs on premises open for business.
7. Internal or external sign illumination shall be steady and stationary.
8. Exterior sign illumination shall be shielded and directed solely at the sign.

The Finance Committee concurred.

The Planning Board report was given of the public hearing held on September 24, 2001. Due notice was given in the Billerica Minuteman on September 6 and September 13, 2001. On a positive motion to recommend, the Board voted six (6) in favor and one (1) opposed, the Board does recommend this Article. The new sign by-law will address several deficiencies in the existing by-law. It will control the size and number of signs and will not compromise visual impacts.

Zoning By-Law Committee Chairman McDowell introduced Atty. Carol Rolfe who would present the zoning articles for the Committee.

Garden Club member Elaine Kunicki spoke in favor of this article.

Considerable discussion ensued.

Rep. Giovino moved to amend Section 7. "Home Occupation" so that it will read:

- a. In all residential districts, one sign shall be permitted to identify a home occupation.
- b. The maximum size of such sign shall not exceed 1 square foot.
- c. The sign shall be attached to the home.

Seconded. Several Representatives spoke in opposition to the amendment.

Rep. Rawlings moved the question on the amendment. Seconded. The motion to end debate CARRIED unanimously.

The amendment was put to a vote. The amendment LOST.

Rep. Blake moved the question on the main motion. Seconded. With ninety-three (93) in favor and thirty-five (35) opposed, the motion to end debate CARRIED.

The main motion as presented was put to a rising vote. With one hundred twelve (112) in favor and six (6) opposed, the motion CARRIED.

Rep. Dampolo moved for reconsideration. Seconded.

Rep. O'Neil moved the question on reconsideration. Seconded. The motion CARRIED.

Reconsideration was put to a rising vote. With fifty-eight (58) in favor and fifty-four (54) opposed, reconsideration LOST.

ARTICLE 62

It was moved and seconded to amend the Zoning By-Law by adding provisions for freestanding signs by amending section 9 of the Zoning By-law as follows:

(ALL ADDITIONS ARE SHOWN IN BOLD)

1. Add a definition for a freestanding sign under Section 9.C and renumber the section accordingly with the definition to read as follows:

***Freestanding:* A sign directly or indirectly connected to the ground and not attached to any buildings or other structures. If a sign support holds more than one sign, each sign is considered a separate freestanding sign.**

2. Amend Section 9.F.2 to allow freestanding signs in the Business District and reletter accordingly so that it reads as follows:

2. Business Districts (Neighborhood Business, General Business, Commercial)

Architectural

Artisan's

Awning

Construction

Directory

Filling Station

Freestanding

Institutional

Monument

Projecting

Real Estate

Real Estate Subdivision

Wall

Window

3. Add requirements for freestanding signs under Section 9.G and renumber accordingly with the requirements to read as follows:

Freestanding:

- The maximum message area of such sign shall not exceed 21 square feet in the business and industrial districts and shall contain the place name and street address using minimum 6 inch letters.
- The maximum height of such sign shall not exceed 8 feet to the top of the sign above the nearest pavement grade.
- The minimum height of such sign shall be 5 feet to the bottom of the sign above the mean finished grade where the sign is located. For purposes of site distance, a minimum of 3 feet shall remain unobstructed from the bottom of the sign to the mean finished grade.
- The maximum width of such sign message area shall be 7 feet.
- The sign and associated landscaping shall be located a minimum of 10 feet from all property lines, and where deemed necessary by the Inspector of Buildings, the setback shall be increased so that the sign and associated landscaping does not obstruct views from or onto other properties or site distance of a driver of oncoming, intersecting, or merging traffic.
- Where such sign consists of two parallel, flat, sign faces the maximum thickness between the two sign faces is 2 feet.

- All freestanding signs shall have two posts, maximum 8 inches across, attached to the ground.
- All freestanding signs shall be landscaped with well-maintained plantings at a maximum height of 2 feet that are located within a 2-foot perimeter around the signposts.
- There shall be only one freestanding sign permitted on the site on which the sign is located.

4. Add freestanding to the Summary of Sign Type Table under Section 9.H and permit a freestanding sign in the Business and Commercial Districts to read as follows:

H. SUMMARY OF SIGN TYPES PERMITTED IN EACH ZONING DISTRICT

Within the zoning districts listed below, the type of signs permitted include:

DISTRICTS

SIGN TYPE	Residential	Business and Commercial	Industrial	Specialty
ARCHITECTURAL	NO	YES	NO	NO
ARTISAN'S	YES	YES	YES	YES
AWNING	NO	YES	NO	NO
CONSTRUCTION	YES	YES	YES	YES
DIRECTORY	YES	YES	NO	NO
FILLING STATION	NO	YES	NO	NO
FREESTANDING	NO	YES	NO	NO
HOME OCCUPATION	YES	NO	NO	NO
IDENTIFICATION	YES	NO	NO	NO
INDUSTRIAL DIRECTORY	NO	NO	YES*	YES*
INSTITUTIONAL	YES	YES	YES	YES
MONUMENT	NO	YES	YES	YES
PROJECTING	NO	YES	NO	NO
REAL ESTATE	YES	YES	YES	YES
REAL ESTATE SUBDIVISION	YES	YES	YES	YES
WALL	NO	YES	YES	YES
WINDOW	NO	YES	NO	NO

5. Amend Section 9.I.3 to add freestanding signs to read as follows:

3. Only one **freestanding or** monument sign shall be permitted on a site.

The Finance Committee concurred.

Planning Board Chairman Pasciuto gave the report of the public hearing held on September 24, 2001. Due notice was given in the Billerica Minuteman on September 6

and September 13, 2001. On a positive motion to recommend, the Board voted six (6) in favor and one (1) opposed. The Board concluded that the new sign by-law addresses several deficiencies. Also, changes being proposed will control the size and number of signs and does not compromise visual impacts.

Rep. Morrissey moved to amend the article by adding after the last bullet in item #3 the words "a free standing sign will be granted by special permit after a finding that there is no other sign that will fit the business site". Seconded.

Much discussion ensued.

Rep. Revane moved the question on the amendment. Seconded. The motion to end debate CARRIED.

The amendment was put to a rising vote. With sixty-two (62) in favor and forty-five (45) opposed, the amendment CARRIED.

Rep. Dresser moved for reconsideration. The amendment does not specify who the special permit granting authority will be. Seconded. With seventy-eight (78) in favor and thirty (30) opposed, reconsideration CARRIED.

A quorum count was called. With one hundred nineteen (119) Town Meeting Members present, the fourth session of the Annual Fall Town Meeting stood adjourned at 9:55 p.m. until Tuesday evening at 7:30 p.m.

A True Copy
Shirley E. Schult, CMC, CMMC, Town Clerk

**ANNUAL FALL TOWN MEETING
Maurice A. Buck Memorial Auditorium
Fifth Session - October 16, 2001**

A quorum count was called. With one hundred twenty-three (123) Town Meeting Members present, the fifth session of the Annual Fall Town Meeting was declared in session at 7:35 p.m.

ARTICLE 62 – cont.

Rep. Bowen moved to send Article 62 to a committee to be comprised of one (1) member from the Planning Board, one (1) member of the Zoning Board of Appeals, two (2) Town Meeting Members appointed by the Moderator and one (1) representative of the Beautification Committee. Said Committee to report back to the next Town Meeting. Seconded.

Much discussion ensued on the amendment.

Rep. Blake moved the question. Seconded. The motion to end debate on the amendment CARRIED unanimously.

The amendment to send to committee LOST.

Rep. Morrissey moved to amend the by-law by adding bullets to read as follows:

- the applicant has proven that a monument, projecting or wall sign is impossible for the site.
- the proposal complies with all findings in 9.G of Article 62

Seconded.

The Zoning By-Law Review Committee moved to amend the article as follows:

(ALL PROPOSED AMENDMENTS ARE SHOWN IN BOLD)

1. Add a definition for a freestanding sign under Section 9.C and renumber the section accordingly with the definition to read as follows:

9. Freestanding: A sign directly or indirectly connected to the ground and not attached to any buildings or other structures. If a sign support holds more than one sign, each sign is considered a separate freestanding sign.

2. Amend Section 9.F.2 to allow freestanding signs in the Business District by special permit so that it reads as follows:

Business Districts (Neighborhood Business, General Business, Commercial)

By right:

- a. Architectural
- b. Artisan's
- c. Awning
- d. Construction
- e. Directory
- f. Filling Station
- g. Institutional
- h. Monument
- i. Projecting
- j. Real Estate
- k. Real Estate Subdivision
- l. Wall
- m. Window

By special permit from the Zoning Board of Appeals:

- a. Freestanding

Required Findings:

- The sign maintains vehicle site distance and provides for traffic safety.
- The sign shall be located a minimum of ten (10) feet from all property lines.

3. Add requirements for freestanding signs under Section 9.G and renumber accordingly with the requirements to read as follows:

7. Freestanding

- a. The maximum message area of such sign shall not exceed 21 square feet in the business and industrial districts and shall contain the place name and street address using minimum 6-inch letters.
- b. The maximum height of such sign shall not exceed 8 feet to the top of the sign above the nearest pavement grade.
- c. The minimum height of such sign shall be 5 feet to the bottom of the sign above the mean finished grade where the sign is located. For purposes of site distance, a minimum of 3 feet shall remain unobstructed from the bottom of the sign to the mean finished grade.
- d. The maximum width of such sign message area shall be 7 feet.
- e. The sign and associated landscaping shall be located a minimum of 10 feet from all property lines, and where deemed necessary by the Inspector of Buildings, the setback shall be increased so that the sign and associated landscaping does not obstruct views from or onto other properties or site distance of a driver of oncoming, intersecting, or merging traffic.
- f. Where such sign consists of two parallel, flat, sign faces the maximum thickness between the two sign faces is 2 feet.
- g. All freestanding signs shall have two posts, maximum 8 inches across, attached to the ground.
- h. All freestanding signs shall be landscaped with well-maintained plantings at a maximum height of 2 feet that are located within a 2-foot perimeter around the sign posts.
- i. There shall be only one freestanding sign permitted on the site on which the sign is located.

4. Add freestanding to the Summary of Sign Type Table under Section 9.H and permit a freestanding sign in the Business and Commercial Districts to read as follows:

H. SUMMARY OF SIGN TYPES PERMITTED IN EACH ZONING DISTRICT

Within the zoning districts listed below, the type of signs permitted include:

DISTRICTS

SIGN TYPE	Residential	Business and Commercial	Industrial	Specialty
ARCHITECTURAL	NO	YES	NO	NO
ARTISAN'S	YES	YES	YES	YES
AWNING	NO	YES	NO	NO
CONSTRUCTION	YES	YES	YES	YES
DIRECTORY	YES	YES	NO	NO
FILLING STATION	NO	YES	NO	NO
FREESTANDING	NO	SZ*	NO	NO

HOME OCCUPATION	YES	NO	NO	NO
IDENTIFICATION	YES	NO	NO	NO
INDUSTRIAL DIRECT	NO	NO	YES	YES
INSTITUTIONAL	YES	YES	YES	YES
MONUMENT	NO	YES	YES	YES
PROJECTING	NO	YES	NO	NO
REAL ESTATE	YES	YES	YES	YES
REAL ESTATE. SUBDIVISION	YES	YES	YES	YES
WALL	NO	YES	YES	YES
WINDOW	NO	YES	NO	NO

***SZ = Special permit from the Zoning Board of Appeals**

5. Amend Section 9.I.3 to add freestanding signs to read as follows:

3. Only one freestanding or monument sign shall be permitted on a site.
Seconded.

Rep. Revane moved the question. Seconded. The motion to end debate CARRIED unanimously.

Rep. Morrissey's amendment was put to a rising vote. With thirty (30) in favor and one hundred three (103) opposed, the amendment was defeated.

The amendment proposed by the Zoning By-Law Review Committee CARRIED.

The main motion as amended was put to a rising vote. With ninety-one (91) in favor and forty-two (42) opposed, the motion CARRIED

ARTICLE 49

It was moved and seconded to amend the Zoning By-Laws by deleting all except the first bullet under Section 5.E.1 and deleting all required findings and adding a new bulleted item so that it will read:

To:

(CHANGES ARE SHOWN IN BOLD ITALICS)

FROM SECTION 5.E.1

1. FLOOD PLAIN OVERLAY DISTRICT

All uses permitted by right or by special permit in the underlying districts are permitted by right or by special permit in the Flood Plain Overlay District subject to all other requirements of the underlying district, and also subject to the following requirements that promote the health and safety of the occupants of lands deemed subject to seasonal or periodic flooding.

- The installation of underground utilities, services, and related appurtenances within the Flood Plain Overlay District shall connect to an existing facility and the post development grades and surface permeability shall remain the same as the predevelopment.
- The Inspector of Buildings may issue a building permit for a use permitted by right and the Board of Appeals may issue a special permit for a use permitted by special permit in the underlying district upon receipt of plans showing the proposed use, building, or structure and including an endorsement of approval from the Board of Health with all conditions of approval from the Board of Health specified on said building or special permit.

The Finance Committee concurred.

Planning Board Member Norman gave the report of the public hearing held on September 24, 2001. Due notice was given in the Billerica Minuteman on September 6 and September 13, 2001. On a positive motion to recommend the Board voted seven (7) in favor and zero (0) opposed. The changes streamline the permitting process but does not compromise the current safeguards.

There being no discussion, the motion CARRIED unanimously.

ARTICLE 50

It was moved and seconded to amend the Zoning Bylaw by deleting Section 7.I.2 and adding a new Section 7.J to read:

(ALL PROPOSED CHANGES ARE IN BOLD ITALICS)

I. SLOPES

The creation or construction of slopes or a series of slopes in excess of one foot rise per three feet of run, otherwise known as a 3:1 slope, and over five feet in height is prohibited.

J. WALLS, FENCES, AND RETAINING WALLS

Walls, fences, barriers, retaining walls, and the like over six feet in height shall be considered structures and shall be subject to all applicable dimensional controls in this section of the Zoning By-law.

The Finance Committee concurred.

Planning Board Chairman Pasciuto gave the report of the public hearing held on September 24, 2001. Due notice was given in the Billerica Minuteman on September 6 and September 13, 2001. On a positive motion to recommend, the Board voted seven (7) in favor and zero (0) opposed. This will ensure that walls and fences of six feet will be properly constructed.

Several questions were asked of the Building Inspector.

The motion as presented was put to a rising vote. With one hundred twenty-seven (127) voting in favor and two (2) opposed, the motion CARRIED.

ARTICLE 51

It was moved and seconded to amend the Zoning By-Laws as written in the Warrant.

The Finance Committee concurred.

The Planning Board gave its report of the public hearing held on September 24, 2001. Due notice was given in the Billerica Minuteman on September 6 and September 13, 2001. On a positive motion to recommend, the Board voted seven (7) in favor and zero (0) opposed. This change will control earth migration and protect adjacent properties.

Rep. DePaso moved the question. Seconded. The motion to end debate CARRIED.

The main motion was put to a rising vote. With sixty-two (62) in favor and sixty-eight (68) opposed, the motion LOST.

Rep. Dresser moved to reconsider Article 51. Seconded.

Rep. Wetzel moved the question. Seconded. With one hundred twenty-one (121) in favor and one (1) opposed, debate was cut off.

With sixty-two (62) in favor and seventy-five (75) opposed, reconsideration LOST.

ARTICLE 52

It was moved and seconded to amend the Zoning By-Laws to clarify the green strip requirements under the Zoning by-laws as follows:

1. To amend Section 7.G.2 of the Zoning By-law as follows:

(CHANGES ARE SHOWN IN BOLD ITALICS)

G. GREEN STRIPS AND SCREENING

2. Green Strips shall consist of planted or natural vegetation, including trees, shrubs, ***grasses, ground cover, and flowers.*** ***At least one tree with a minimum diameter of three inches at chest level and eight shrubs per 50 feet of green strip are required.*** ***If there is a 10 foot green strip around a building,*** up to 50% of the trees may be replaced with ***two shrubs*** for each ***tree.*** ***Ground cover should also be specified and if non-vegetative (bark dust, mulch, stones larger than one foot in diameter, etc.) the depth must be adequate to assure proper cover.*** ***The green strip shall not be built on, paved, or parked on, except as otherwise provided in this Zoning By-law.***

2. To add after the YARDS requirements for Garden-style apartment, Section 5.C.4.i.(2)(b), and for Townhouse, Section 5.E.4.b.(1), and for Elderly housing, Section 5.E.5.b.(2)(a), the following green strip requirements:

GREEN STRIPS

- A 25 foot wide green strip shall be provided around the perimeter of the tract, except in the location of curb cuts.
- Green strips shall consist of planted or natural vegetation, including trees, shrubs, grasses, ground cover, and flowers.
- The green strip shall not be built on, paved, or parked on.

Planning Board Member Pasciuto gave the report of the public hearing held September 24, 2001. Due notice was given in the Billerica Minuteman on September 6 and September 13, 2001. On a positive motion to recommend, the board voted seven (7) in favor and zero (0) opposed. This will improve the landscaping standards of the green strip.

There being no discussion, the motion CARRIED unanimously.

ARTICLE 53

It was moved and seconded to amend the Zoning By-Law by deleting Section 5.B.3; deleting the words "Unless otherwise provided," from the beginning of Section 5.B.6; and renumbering the subsections of Section 5.B accordingly so that it is changed as follows:

SECTION 5. REGULATION OF USES, BUILDINGS, AND STRUCTURES

A. PURPOSE

This section of the Zoning By-law regulates the use of land, buildings, and structures, including reconstruction, extensions, and alterations thereto, within each zoning district.

B. IN GENERAL

1. The following uses are expressly prohibited: fertilizer plants; junk yards; open air storage of junk, salvage, unregistered vehicles, and wastes; race tracks; rendering plants; salvage yards; slaughterhouses; group homes with more than six unrelated persons; manufactured housing; hazardous waste facility; trailer or trailer camps.
2. All other uses not expressly authorized in this Zoning By-law are prohibited.
3. In all districts, surface runoff rates existing at pre-development shall not be increased at post-development. When deemed appropriate by the Inspector of Buildings, applicants shall install erosion and siltation control devices so that sediment laden runoff from disturbed surfaces will be filtered onsite to prevent sediment from migrating onto roads, abutters' properties and into Natural Resource Areas, such as floodplains, wetlands, water bodies, and waterways.
4. In all districts, except Residential Districts, screening shall be provided, erected, and maintained to shield business and industrial uses of land and buildings from adjoining residential and municipal lots and shall consist of a solid fence, wall, landscaped earthen barrier, evergreen planting or combination of these elements not less than six feet in height running along the property line. Screening may be reduced to three and one-half feet where it acts to shield an adjacent public way.
5. Any non-residential building with an aggregate sum of 5,000 square feet gross floor area or greater per site, is subject to a site plan approval special permit by the Planning Board. This includes any additions to an existing, non-residential

building that increases the aggregate sum of the gross floor area to over 5,000 square feet per site.

6. Any mixed use shall be subject to the most restrictive provisions of all the uses included within the mixed use as determined by the Inspector of Buildings.

The Finance Committee concurred.

Planning Board Member Norman gave the report of the public hearing held on September 24, 2001. Due notice was given in the Billerica Minuteman on September 6 and September 13, 2001. On a positive motion to recommend, the Board voted seven (7) in favor and zero (0) opposed. This amendment will clarify requirements for non-residential structures over 5000 sq. feet to obtain site plan special permit approval.

There being no discussion, the motion CARRIED unanimously.

ARTICLE 54

It was moved and seconded to amend the Zoning By-Law "Table of Use Regulations" at the end of Section 5 in order to clarify that all non-residential uses over 5,000 sq. ft. requires a site plan special permit by changing the existing use table as follows:

TABLE OF USE REGULATIONS

The following Table lists uses permitted by right, uses permitted by special permit, and uses prohibited within each zoning district. All uses permitted by right or by special permit are subject to all applicable regulations set forth in this Zoning By-law.

LEGEND:

Y - uses permitted by right

SZ - uses permitted by special permit with the Zoning Board of Appeals designated as the Special Permit Granting Authority (SPGA)

SA - uses permitted by special permit with the Planning Board designated as the SPGA subject to site plan approval by the Planning Board

N - uses that are prohibited

NOTES:

* All uses permitted in the underlying District by right or by special permit are permitted by right or by special permit, respectively, in the Overlay District, unless otherwise provided in the Zoning By-law.

ALL NON-RESIDENTIAL BUILDINGS FOR A PARTICULAR USE THAT EXCEED 5,000 SQUARE FEET GROSS FLOOR AREA ARE SUBJECT TO A SITE PLAN APPROVAL SPECIAL PERMIT FROM THE PLANNING BOARD.

DISTRICT ABBREVIATIONS:

MAIN

VR – Village Residence
NR – Neighborhood Residence
RR – Rural Residence Cluster
GR – Garden Style Apartment

MAIN

NB – Neighborhood Business
GB – General Business
C – Commercial
I – Industrial

SPECIAL

RT – Refuse Transfer Station
DG – Private & Public
 Dumping Ground
AD – Alcohol & Drug
 Rehabilitation Hospital
CP – Composting
AE – Adult Entertainment

OVERLAY

FP – Flood Plain
H – Historic
RC – Residential
 Cluster
TH – Townhouse
EH – Elderly
 Housing
SS – Self-Service

AGRICULTURAL USES	MAIN								SPECIAL					OVERLAY					
	VR	NR	RR	GR	NB	GB	C	I	RT	DG	AD	CP	AE	FP	H	RC	TH	EH	SS
Agriculture	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Facility for sale of Product	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Floriculture	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Forestry	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Keeping of horses— -0 on less than 10,000 S.F. -1 on 10,000–19,999 S.F. -2 on 20,000-29,999 S.F. -3 on 30,000 or more S.F.	Y	Y	Y	N	N	N	N	N	N	N	N	N	N	*	*	*	*	*	*
Horticulture	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Viticulture	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*

BUSINESS USES	MAIN								SPECIAL					OVERLAY					
	VR	NR	RR	GR	NB	GB	C	I	RT	DG	AD	CP	AE	FP	H	RC	TH	EH	SS
Accessory uses to Scientific Research or Development	N	N	N	N	SZ	SZ	SZ	SZ	N	N	N	N	SZ	*	*	*	*	*	*
Bank	N	N	N	N	Y	Y	N	SZ	N	N	N	N	Y	*	*	*	*	*	*
Dog kennel for 3-15 Dogs	N	N	N	N	N	SZ	N	N	N	N	N	N	SZ	*	*	*	*	*	*
Funeral home	N	N	N	N	SZ	SZ	N	N	N	N	N	N	SZ	*	*	*	*	*	*
Home occupation	Y	Y	Y	Y	N	N	N	N	N	N	N	N	N	*	*	*	*	*	*
Loan agency	N	N	N	N	Y	Y	Y	Y	N	N	N	N	N	*	*	*	*	*	*
Offices	N	N	N	N	Y	Y	Y	SA	N	N	N	N	Y	*	*	*	*	*	*
Pet shop	N	N	N	N	N	Y	Y	N	N	N	N	N	Y	*	*	*	*	*	*
Personal services	N	N	N	N	Y	Y	Y	Y	N	N	N	N	Y	*	*	*	*	*	*
Research facility	N	N	N	N	SA	SA	SA	SA	N	N	N	N	SA	*	*	*	*	*	*
Tradesman's shop	N	N	N	N	Y	Y	Y	Y	N	N	N	N	Y	*	*	*	*	*	*
Veterinarian	N	N	N	N	N	Y	N	N	N	N	N	N	Y	*	*	*	*	*	*

COMMERCIAL USES	MAIN								SPECIAL					OVERLAY					
	VR	NR	RR	GR	NB	GB	C	I	RT	DG	AD	CP	AE	FP	H	RC	TH	EH	SS
Adult entertainment Establishment	N	N	N		N	N	N	N	N	N	N	N	Y	*	*	*	*	*	*
Auto parking	N	N	N	N	N	SZ	SZ	N	N	N	N	N	SZ	*	*	*	*	*	*
Auto repair	N	N	N	N	N	SZ	SZ	N	N	N	N	N	SZ	*	*	*	*	*	*
Auto sales	N	N	N	N	N	SZ	SZ	N	N	N	N	N	SZ	*	*	*	*	*	*
Auto service	N	N	N	N	N	SZ	SZ	N	N	N	N	N	SZ	*	*	*	*	*	*
Auto washing	N	N	N	N	N	SZ	SZ	N	N	N	N	N	SZ	*	*	*	*	*	*
Christmas tree sales	N	N	N	N	N	Y	N	N	N	N	N	N	Y	*	*	*	*	*	*
Contractor's yard	N	N	N	N	Y	Y	Y	N	N	N	N	N	Y	*	*	*	*	*	*
COMMERCIAL USES	MAIN								SPECIAL					OVERLAY					
	VR	NR	RR	GR	NB	GB	C	I	RT	DG	AD	CP	AE	FP	H	RC	TH	EH	SS
Drive-up/through Restaurant	N	N	N	N	N	SZ	SZ	N	N	N	N	N	SZ	*	*	*	*	*	*

[illegible]

For profit	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	*	*	*	*	*	*
Non-profit	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

	MAIN									SPECIAL				OVERLAY						
	VR	NR	RR	GR	NB	GB	C	I		RT	DG	AD	CP	AE	FP	H	RC	TH	EH	SS
GOVERNMENTAL USES																				
State	Y	Y	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
County	Y	Y	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Municipal	Y	Y	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

INDUSTRIAL USES	MAIN					SPECIAL					OVERLAY								
	VR	NR	RR	GR	NB	GB	C	I	RT	DG	AD	CP	AE	FP	H	RC	TH	EH	SS
Accessory service and Repair	N	N	N	N	N	N	N	SZ	N	N	N	N	N	*	*	*	*	*	*
Automotive sales	N	N	N	N	N	N	N	SZ	N	N	N	N	N	*	*	*	*	*	*
Automotive services	N	N	N	N	N	N	N	SZ	N	N	N	N	N	*	*	*	*	*	*
Composting facilities	N	N	N	N	N	N	N	N	N	N	N	N	SZ	*	*	*	*	*	*
Light manufacturing	N	N	N	N	N	N	N	N	SA	N	N	N	N	*	*	*	*	*	*
Private sewage Treatment plant	N	N	N	N	N	N	N	N	N	SA	N	N	N	*	*	*	*	*	*
Refuse composting Plant	N	N	N	N	N	N	N	N	N	SA	N	N	N	*	*	*	*	*	*
Refuse incinerator	N	N	N	N	N	N	N	N	N	SA	N	N	N	*	*	*	*	*	*
Refuse transfer station	N	N	N	N	N	N	N	N	SA	N	N	N	N	*	*	*	*	*	*
Residual waste storage	N	N	N	N	N	N	N	N	N	SA	N	N	N	*	*	*	*	*	*
Temporary construction Trailer	N	N	N	N	N	Y	N	N	N	N	N	N	Y	*	*	*	*	*	*
Truck terminal	N	N	N	N	N	N	N	N	N	N	N	N	N	*	*	*	*	*	*
Waste treatment plant	N	N	N	N	N	N	N	N	N	SZ	N	N	N	*	*	*	*	*	*

	MAIN									SPECIAL						OVERLAY					
	VR	NR	RR	GR	NB	GB	C	I		RT	DG	AD	CP	AE		FP	H	RC	TH	EH	SS
PHILANTHROPIC USES																					
Club	SZ	SZ	SZ	SZ	SZ	SZ	SZ	N	N	N	N	N	N	SZ		*	*	*	*	*	*

UTILITY USES	MAIN								OVERLAY					
	VR	NR	RR	GR	NB	GB	C	I	FP	H	RC	TH	EH	SS
Above-ground utilities, Non-municipal	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	*	*	*	*	*	*
Above-ground utilities, Municipal	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Earth migration of less than 500 cubic yards for: Construction or repair of roads, utilities, public works, and infrastructure	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Installation or repair of underground sewage disposal systems Excavation for foundations														
Earth migration over 500 cubic yards	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	*	*	*	*	*	*
Underground utilities	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	*	*	*
Wireless communications facility	SA	SA	SA	SA	SA	SA	SA	SA	*	*	*	*	*	*

SPECIAL						AE	
RT	DG	AD	CP	AE			
SZ	SZ	SZ	SZ	SZ			
Y	Y	Y	Y	Y			
Y	Y	Y	Y	Y			
SZ	SZ	SZ	SZ	SZ			
Y	Y	Y	Y	Y			
SA	SA	SA	SA	SA			

AND

To make the following changes to the Zoning By-law to remove all references to uses under or over 5,000 square feet and make appropriate substitutions, renumber or re-letter accordingly, or both:

- amend "Offices that are less than 5,000 square feet gross floor area" from Section 5.C.5.b(1)(c) to "Offices"
- delete "Offices that are over 5,000 square feet gross floor area" from Section 5.C.5.b(2)(c) and re-letter accordingly
- amend "Retail store that is under 5,000 square feet gross floor area" from Section 5.C.5.c(1)(f) to "Retail store"
- delete "Retail store that is over 5,000 square feet gross floor area" from Section 5.C.5.c(2)(e) and re-letter accordingly
- amend "Restaurant that is under 5,000 square feet gross floor area" from Section 5.C.5.c(2)(c) to "Restaurant"
- delete "Restaurant that is over 5,000 square feet gross floor area" from Section 5.C.5.c(2)(d) and re-letter accordingly
- amend "Light manufacturing that is under 5,000 square feet gross floor area" from Section 5.C.6.f(1)(a) to "Light manufacturing"
- delete "Light manufacturing that is over 5,000 square feet gross floor area" from Section 5.C.5.f(1)(b)
- amend "Offices that are under 5,000 square feet gross floor area" from Section 5.C.7.b(1)(b) to "Offices"
- delete "Offices that are over 5,000 square feet gross floor area . . ." from Section 5.C.7.b(2)(b) and re-letter accordingly
- amend "Offices that are under 5,000 square feet gross floor area" from Section 5.C.8.b(2)(c) to "Offices"
- delete "Offices that are over 5,000 square feet gross floor area . . ." from Section 5.C.8.b(2)(d) and re-letter accordingly
- amend "Offices that are less than 5,000 square feet gross floor area" from Section 5.C.5.b(1)(c) to "Offices"
- delete "Offices that are over 5,000 square feet gross floor area" from Section 5.C.5.b(2)(c) and re-letter accordingly
- amend "Restaurant that is under 5,000 square feet gross floor area . . ." from Section 5.C.8.c(2)(e) to "Restaurant"
- delete "Restaurant that is over 5,000 square feet gross floor area" from Section 5.C.8.c(2)(f) and re-letter accordingly
- amend "Retail store that is under 5,000 square feet gross floor area" from Section 5.C.8.c(2)(g) to "Retail store"
- delete "Retail store that is over 5,000 square feet gross floor area" from Section 5.C.8.c(2)(h) and re-letter accordingly
- amend "Light manufacturing under 5,000 square feet gross floor area" from Section 5.C.8.f(1)(a) to "Light manufacturing"
- delete "Light manufacturing that is over 5,000 square feet gross floor area . . ." from Section 5.C.8.f(2)(d)

The Finance Committee concurred.

Planning Board Chairman Pasciuto gave the report of the public hearing held on September 24, 2001. Due notice was given in the Billerica Minuteman on September 6th and September 13th, 2001. On a positive motion to recommend, the Board voted seven (7) in favor and zero (0) opposed. This will clarify the requirement that any new non-residential structure over 5,000 sq. ft. in area obtain site plan special permit approval.

There being no discussion, the motion CARRIED unanimously.

ARTICLE 55

It was moved and seconded to amend the Zoning By-Law Use Table as follows:

F. TABLE OF USE REGULATIONS

The following Table lists uses permitted by right, uses permitted by special permit, and uses prohibited within each zoning district. All uses permitted by right or by special permit are subject to all applicable regulations set forth in this Zoning By-law.

LEGEND:

Y - uses permitted by right

SZ - uses permitted by special permit with the Zoning Board of Appeals designated as the Special Permit Granting Authority (SPGA)

SA - uses permitted by special permit with the Planning Board designated as the SPGA subject to site plan approval by the Planning Board

SP – uses permitted by special permit with the Planning Board designated as the SPGA

N - uses that are prohibited

(THIS USE TABLE CHANGE PROVIDES FOR A SPECIAL PERMIT FROM THE PLANNING BOARD FOR A WIRELESS COMMUNICATIONS FACILITY, SUBJECT TO THE FINDINGS AND SITE PLAN REQUIREMENTS UNDER THE USE, BUT NOT A SITE PLAN SPECIAL PERMIT UNDER SECTION 6 OF THE ZONING BY-LAW)

Wireless communic a-tions facility	<i>S P</i>	<i>S P</i>	<i>S P</i>	<i>S P</i>	<i>S P</i>	<i>S P</i>	<i>S P</i>	<i>S P</i>	<i>S P</i>	<i>S P</i>	<i>S P</i>	<i>S P</i>	<i>S P</i>	<i>S P</i>	*	*	*	*	*	*
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The Finance Committee concurred.

The Planning Board gave its report of the public hearing held on September 24, 2001. Due notice was given in the Billerica Minuteman on September 6 and September 13, 2001. This makes it clear that wireless communication use is permitted by special permit from the Planning Board.

There being no discussion, the motion CARRIED unanimously.

ARTICLE 56

It was moved and seconded to amend the Zoning By-Laws as printed in the warrant.

The finance committee did not recommend this Article.

The Planning Board gave its report of the public hearing held on September 24, 2001. Due notice was given in the Billerica Minuteman on September 6 and September 13, 2001. On a positive motion to recommend, the Board voted five (5) in favor and two (2) opposed. This will help control the parking of commercial vehicles within residential areas.

Considerable discussion ensued.

Rep. McLaughlin moved the question. Seconded. The motion to end debate CARRIED unanimously.

With sixty-six (66) voting in favor and fifty-seven (57) opposed, the motion LOST.

ARTICLE 57

It was moved and seconded to make the following housekeeping amendments to the Zoning By-laws:

(THESE AMENDMENTS (**SHOWN IN BOLD**) ARE HOUSEKEEPING AMENDMENTS THAT AMEND VARIOUS SECTIONS OF THE ZONING BY-LAW.)

1. Add the words "building, structure, or" to the definition of ACCESSORY RESIDENTIAL USE in Section 2 of the Zoning By-law so that it is changed

from:

ACCESSORY RESIDENTIAL USE: Any use customarily incidental to the principal residential use, such as a private garage; carport; playhouse; private greenhouse; tool shed; tennis court; storage of one recreational trailer, home utility trailer, boat, and snowmobile; or swimming pool.

to:

ACCESSORY RESIDENTIAL **BUILDING, STRUCTURE, OR USE:** Any **building, structure**, or use customarily incidental to the principal residential use, such as a private garage; carport; playhouse; private greenhouse; tool shed; tennis court; storage of one recreational trailer, home utility trailer, boat, and snowmobile; or swimming pool.

2. Add in alphabetical order to Section 2 of the Zoning By-Law a definition for ACCESSORY NON-RESIDENTIAL BUILDING, STRUCTURE, OR USE to read as follows:

ACCESSORY NON-RESIDENTIAL BUILDING, STRUCTURE, OR USE:

Any building, structure, or use customarily incidental to the principal non-residential use, such as a shed or mechanical storage building.

3. Add the word “lot” to the definition of AREA in Section 2 of the Zoning By-law so that it is changed

from:

AREA: Square footage within a lot.

to:

AREA, LOT: Square footage within a lot.

4. Amend the definition of FIRE LANE in Section 2 of the Zoning By-law so that it is changed

from:

FIRE LANE: An open space in which no automotive vehicles may be parked and in which no building or structure may be erected without written permission from the Chief of the Fire Department, except that buildings may be interconnected by corridors or walkways, if provision is made for access by fire apparatus to all outside walls. The open space shall be between a building and a line parallel to and fifteen feet equidistant from a building.

to:

FIRE LANE: An open space as designated by the Billerica Fire Department for the purposes of fire protection.

5. Add the word “non-profit” to the definition of PHILANTHROPIC in Section 2 of the Zoning By-law so that it is changed

from:

PHILANTHROPIC: A use that promotes social welfare.

to:

PHILANTHROPIC: A **non-profit** use that promotes social welfare.

6. Add the statutory reference to the definition of VARIANCE in Section 2 of the Zoning By-law so that it is changed

from:

VARIANCE: Relief from the non-use requirements of this Zoning By-law.

to:

VARIANCE: Relief from the non-use requirements of this Zoning By-law as provided for under M.G.L., ch. 40A, § 10, as amended.

7. Add the following language to the end of Section 4.B.8 of the Zoning By-law so that it is changed

from:

8. Whenever the exact location of a zoning boundary line cannot be precisely determined under the provisions stated above, the identification and location of such boundary line shall be determined by the Planning Board and submitted for Town Meeting approval, subject to any amendments Town Meeting may desire. Until Town Meeting votes, the provisions of the most restrictive Zoning District located on the lot in question shall apply.

to:

8. Whenever the exact location of a zoning boundary line cannot be precisely determined under the provisions stated above, the identification and location of such boundary line shall be determined by the Planning Board and submitted for Town Meeting approval, subject to any amendments Town Meeting may desire. Until Town Meeting votes, the provisions of the most restrictive Zoning District located on the lot in question shall apply. **The zoning districts listed under each of the three categories within the list of Main Districts under Section 3 of this Zoning By-law shall start with (1) as the most restrictive zoning district and ascend in numbered order to the least restrictive.**

8. Add the word “lessor” to Sections 5.C.1.a.(1)(b) and 5.C.4.a.(1)(b) of the Zoning By-law so that it is changed

from:

(b) Facility for the sale of agricultural, floricultural, horticultural, or viticultural produce, so long as the facility is located on a parcel of land that is more than five acres and the majority of the produce sold has been produced by the owner of the land on which the facility is located.

to:

(b) Facility for the sale of agricultural, floricultural, horticultural, or viticultural produce, so long as the facility is located on a parcel of land that is more than five acres and the majority of the produce sold has been produced by the owner **or lessor** of the land on which the facility is located.

9. Change the term SERVICES to SERVICE USES under the following sub-sections of Section 5 of the Zoning By-law to make the terminology consistent throughout Section 5:

C.4.j, C.5.j, C.6.k, C.7.k, D.1.h, D.2.i, D.3.g, D.4.h, and D.5.k.

10. Change the term UTILITIES to UTILITY USES under the following sub-sections of Section 5 of the Zoning By-law to make the terminology consistent throughout Section 5:

C.4.k, C.5.k, C.6.l, C.7.l, D.1.i, D.2.j, D.3.h, D.4.i, and D.5.l.

11. Change the terms SERVICES USES to SERVICE USES under Section 5.8.j of the Zoning By-law.

12. Change the terms UTILITIES USES to UTILITY USES under Section 5.8.k of the Zoning By-law.

13. Delete subsection 5.g.(2)(a) under Section 5 of the Zoning By-law and re-letter accordingly so that it is changed

from:

(2) By special permit:

- (a) Earth migration subject to the Required Findings set forth under the Village Residence District
- (b) Golf course subject to the Required Findings set forth under the Village Residence District
- (c) Outdoor recreation subject to the Required Findings set forth under the Village Residence District
- (d) Riding stable subject to the Required Findings set forth under the Village Residence District
- (e) Swimming pool subject to the Required Findings set forth under the Village residence District

to:

(2) By special permit:

- (a) Golf course subject to the Required Findings set forth under the Village Residence District
- (b) Outdoor recreation subject to the Required Findings set forth under the Village Residence District
- (c) Riding stable subject to the Required Findings set forth under the Village Residence District
- (d) Swimming pool subject to the Required Findings set forth under the Village residence District

14. Delete subsection 7.h.(2)(a) under Section 5 of the Zoning By-law and re-letter accordingly so that it is changed

from:

(2) By special permit:

- (a) Golf course subject to the Required Findings set forth under the Village Residence District
- (b) Earth migration subject to the Required Findings set forth under the General Business District
- (c) Outdoor recreation subject to the Required Findings set forth under the General Business District

- (d) Riding stable subject to the Required Findings set forth under the General Business District

to:

(2) By special permit:

- (a) Golf course subject to the Required Findings set forth under the Village Residence District
- (b) Outdoor recreation subject to the Required Findings set forth under the General Business District
- (c) Riding stable subject to the Required Findings set forth under the General Business District

15. Amend the second sentence of the first paragraph of Section 5.E.2. HISTORIC OVERLAY DISTRICT to change

from:

2. HISTORIC OVERLAY DISTRICT

All uses permitted by right or by special permit in the underlying districts are permitted by right or by special permit in the Historic Overlay District subject to the below requirements in order to foster development that is both compatible and appropriate within historic areas of the Town.

to:

2. HISTORIC OVERLAY DISTRICT

All uses permitted by right or by special permit in the underlying districts are permitted by right or by special permit in the Historic Overlay District. In order to foster development that is both compatible and appropriate within historic areas of the Town, **the following dimensional requirements shall apply and shall override the dimensional requirements set forth in this Zoning By-law.**

16. Add the word “approval” after the words “site plan” in the following sections of the Zoning By-law:

6.G.8 and 6.I

17. Amend the first occurrence of the terms “side and rear yards” under Sections 7.D.5 & 6 of the Zoning By-law to “rear yard” so that it is changed

from:

- 5. In residential districts, uncovered steps in the front and rear yards, bulkheads in the side and rear yards, and eaves in the front yard are not subject to the yard requirements, except that all side yards shall be a minimum of 7 ½ feet, all rear yards shall be a minimum of 20 feet, and all front yards shall be a minimum of 20 feet. Unless a building, structure, or use of a lot is covered by the pre-existing, nonconforming provisions of this Zoning By-law, in which case the minimum yard requirements apply, any other principal building, structure, or use of the lot, whether covered or uncovered, shall maintain a front yard of 35 feet, a side yard of 15 feet, and a rear yard of 20 feet.

6. In all nonresidential districts, EXCEPT Industrial, uncovered steps in the front and rear yards, bulkheads in the side and rear yards, and eaves in the front yard are not subject to the yard requirements, except that all side yards shall be a minimum of 7 ½ feet, all rear yards shall be a minimum of 20 feet, and all front yards shall be a minimum of 20 feet. Unless a building, structure, or use of a lot is covered by the pre-existing, nonconforming provisions of this Zoning By-law, in which case the minimum yard requirements apply, any other principal building, structure, or use of the lot, whether covered or uncovered, including loading platforms, shall maintain a front yard of 50 feet, a side yard of 25 feet, and a rear yard of 35 feet.

to:

5. In residential districts, uncovered steps in the front and rear yards, bulkheads in the **rear yard**, and eaves in the front yard are not subject to the yard requirements, except that all side yards shall be a minimum of 7 ½ feet, all rear yards shall be a minimum of 20 feet, and all front yards shall be a minimum of 20 feet. Unless a building, structure, or use of a lot is covered by the pre-existing, nonconforming provisions of this Zoning By-law, in which case the minimum yard requirements apply, any other principal building, structure, or use of the lot, whether covered or uncovered, shall maintain a front yard of 35 feet, a side yard of 15 feet, and a rear yard of 20 feet.

6. In all nonresidential districts, EXCEPT Industrial, uncovered steps in the front and rear yards, bulkheads in the **rear yard**, and eaves in the front yard are not subject to the yard requirements, except that all side yards shall be a minimum of 7 ½ feet, all rear yards shall be a minimum of 20 feet, and all front yards shall be a minimum of 20 feet. Unless a building, structure, or use of a lot is covered by the pre-existing, nonconforming provisions of this Zoning By-law, in which case the minimum yard requirements apply, any other principal building, structure, or use of the lot, whether covered or uncovered, including loading platforms, shall maintain a front yard of 50 feet, a side yard of 25 feet, and a rear yard of 35 feet.

18. Amend Section 7.J DIMENSIONAL TABLE of the Zoning By-law by adding a footnote reference (6) under MIN FRONT YARD and MIN SIDE YARD and footnote (6) as follows:

(6) These yards are reduced in the Historic Overlay District.

So that the Section is changed from:

J. DIMENSIONAL TABLE

DIMENSIONAL REQUIREMENTS

ZONING DISTRICT	MIN LOT AREA	MIN LOT FRONT-AGE	MIN FRONT YARD	MIN SIDE YARD	MIN REAR YARD	MAXIMUM LOT COVERAGE	MAXIMUM HEIGHT	GREEN STRIP	GREEN SPACE
Village Residence	30,000 S.F.	150 ft.	35 ft.	15 ft.	20 ft.	25%	2 ½ stories or 35 ft.	10 ft. lot per. (2) (non-residential) 75% build. per.	25% (2)
Neighborhood Residence	40,000 S.F.	175 ft.	35 ft.	15 ft.	20 ft.	25%	2 ½ stories or 35 ft.	10 ft. lot per. (2) (non-residential) 75% build. per.	25% (2)
Rural Residence	50,000 S.F.	200 ft.	35 ft.	15 ft.	20 ft.	25%	2 ½ stories or 35 ft.	10 ft. lot per. (2) (non-residential) 75% build. per.	25% (2)
Neighborhood Business	25,000 S.F.	125 ft.	50 ft.	25 ft.	35 ft.	25%	2 ½ stories or 35 ft.	10 ft. lot per. (2) 75% build. per.	25%
General Business	25,000 S.F.	125 ft.	50 ft.	25 ft.	35 ft.	25%	3 stories or 45 ft.	10 ft. lot per. (2) 75% build. per.	25%
Commercial	25,000 S.F.	125 ft.	50 ft.	25 ft.	35 ft.	25%	3 stories or 45 ft.	10 ft. lot per. (2) 75% build. per.	25%
Industrial	60,000 S.F.	150 ft.	100 ft. (4)	35 ft. (1)	50 ft.	50%	45 ft. above grade plane(5)	20 ft. lot per. (2),(3) 75% build. per.	25% (3)

(1) Side yard shall be increased to 50 feet on any lot that abuts land in a residential district.

(2) The green strip and green space requirements in the residential districts apply to nonresidential and nonagricultural uses only and not to principal and accessory residential uses. See subsection G of this section of the Zoning By-law for specific requirements

(3) These requirements also apply in the following special districts: Refuse Transfer Station, Private and Public Dumping Ground, Alcohol and Drug Rehabilitation Hospital, Composting, and Adult Entertainment Districts.

(4) In Industrial Districts, the required front setback may be reduced to 40 feet along industrial roads. This front yard must be used for landscaping, pedestrian walkways, and curb cut access driveways only.

(5) The highest roof surface shall not exceed 55 feet above the grade plane.

To:

J. DIMENSIONAL TABLE

DIMENSIONAL REQUIREMENTS

ZONING DISTRICT	MIN LOT AREA	MIN LOT FRONT-AGE	MIN FRONT-YARD (6)	MIN SIDE-YARD (6)	MIN REAR-YARD	MAXIMUM LOT COVERAGE	MAXIMUM HEIGHT	GREEN STRIP	GREEN SPACE
Village Residence	30,000 S.F.	150 ft.	35 ft.	15 ft.	20 ft.	25%	2 ½ stories or 35 ft.	10 ft. lot per. (2) (non-residential) 75% build. per.	25% (2)
Neighborhood Residence	40,000 S.F.	175 ft.	35 ft.	15 ft.	20 ft.	25%	2 ½ stories or 35 ft.	10 ft. lot per. (2) (non-residential) 75% build. per.	25% (2)
Rural Residence	50,000 S.F.	200 ft.	35 ft.	15 ft.	20 ft.	25%	2 ½ stories or 35 ft.	10 ft. lot per. (2) (non-residential) 75% build. per.	25% (2)
Neighborhood Business	25,000 S.F.	125 ft.	50 ft.	25 ft.	35 ft.	25%	2 ½ stories or 35 ft.	10 ft. lot per. (2) 75% build. per.	25%
General Business	25,000 S.F.	125 ft.	50 ft.	25 ft.	35 ft.	25%	3 stories or 45 ft.	10 ft. lot per. (2) 75% build. per.	25%
Commercial	25,000 S.F.	125 ft.	50 ft.	25 ft.	35 ft.	25%	3 stories or 45 ft.	10 ft. lot per. (2) 75% build. per.	25%
Industrial	60,000 S.F.	150 ft.	100 ft. (4)	35 ft. (1)	50 ft.	50%	45 ft. above grade plane (5)	20 ft. lot per. (2), (3) 75% build. per.	25% (3)

(1) Side yard shall be increased to 50 feet on any lot that abuts land in a residential district.

(2) The green strip and green space requirements in the residential districts apply to nonresidential and nonagricultural uses only and not to principal and accessory residential uses. See subsection G of this section of the Zoning By-law for specific requirements.

(3) These requirements also apply in the following special districts: Refuse Transfer Station, Private and Public Dumping Ground, Alcohol and Drug Rehabilitation Hospital, Composting, and Adult Entertainment Districts.

(4) In Industrial Districts, the required front setback may be reduced to 40 feet along industrial roads. This front yard must be used for landscaping, pedestrian walkways, and curb cut access driveways only.

(5) The highest roof surface shall not exceed 55 feet above the grade plane.

(6) These yards are reduced in the Historic Overlay District

19. Delete the terms “facility for” under the Minimum Parking Spaces required for Utilities under Section 8.C.3 of the Zoning By-law

from:

UTILITIES	
All utility uses	None, unless the Building Inspector determines that the use requires parking, in which case the use shall comply with the requirements for facility for offices

to:

UTILITIES	
All utility uses	None, unless the Building Inspector determines that the use requires parking, in which case the use shall comply with the requirements for offices

20. Amend the last sentence of Section 8.D by deleting the sentence and replacing it with a new sentence so that it is changed

from:

D. SPECIAL PERMIT

If a use is permitted by right, the Board of Appeals may grant a special permit for an exception to not less than one-half the parking requirements set forth in this section. If a use is permitted by special permit or by site plan approval special permit, the special permit granting authority responsible for permitting the use may also grant a special permit for an exception to not less than one-half the parking requirements set forth in this section. In granting the special permit, a finding shall be made that sufficient open space exists for the required parking should it be necessary to increase parking in the future. In addition, a finding shall be made that the complete development of the required parking area is currently unnecessary before granting the special permit. The special permit may be made subject to subsequent review.

to:

D. SPECIAL PERMIT

If a use is permitted by right, the Board of Appeals may grant a special permit for an exception to not less than one-half the parking requirements set forth in this section. If a use is permitted by special permit or by site plan approval special permit, the special permit granting authority responsible for permitting the use may also grant a special permit for an exception to not less than one-half the parking requirements set forth in this section. In granting the special permit, a finding shall be made that

sufficient open space exists for the required parking should it be necessary to increase parking in the future. In addition, a finding shall be made that the complete development of the required parking area is currently unnecessary before granting the special permit. **Should additional parking become necessary, the special permit may be modified after hearing and notice.**

21. Amend Section 14.C by changing the language

from:

A. USE VARIANCE

No variance may be considered for a use that is not permitted by this Zoning By-law.

to:

A. USE VARIANCE

Use variances are expressly prohibited under this Zoning By-law. If a use is not permitted by right or by special permit, a petitioner may not seek a variance for such use.

22. Amend section 5.C.1.i.(b) to clarify the finding for parking so that it is changed from:

(c) In-law apartment

Required Findings:

- The living quarters are separate, but located in the principal building
- The living quarters do not exceed 800 square feet
- There are no more than two related persons as occupants
- There is sufficient off-street parking for the use
- The principal building in which the use is located retains its single family dwelling appearance
- The use shall not continue upon vacation of the premises by the occupants

to:

Required Findings:

- The living quarters are separate, but located in the principal building
- The living quarters do not exceed 800 square feet
- There are no more than two related persons as occupants
- There is sufficient off-street parking for the use **with no separate, additional driveway allowed for the use**
- The principal building in which the use is located retains its single family dwelling appearance
- The use shall not continue upon vacation of the premises by the occupants

The Finance Committee concurred.

The Planning Board report of the public hearing held on September 24, 2001 was given. Due notice was given in the Billerica Minuteman on September 6 and September 13, 2001. On a positive motion to recommend, the Board voted seven (7) in favor and zero (0) opposed. The changes represented much needed housekeeping corrections.

Each section of the article was read and anyone wishing to make amendments could place a hold on that section.

Rep. Williams moved to amend item #22 by deleting the words “with no separate, additional driveway allowed for the use” under the required findings. Seconded.

Rep. Morrissey moved the question. Seconded. The motion to end debate CARRIED unanimously.

The amendment was put to a rising vote. With seventy-four (74) voting in favor and thirty-six (36) opposed, the amendment CARRIED.

The main motion as amended was put to a rising vote. With one hundred twenty-five (125) in favor and zero (0) opposed, the motion CARRIED.

ARTICLE 58

It was moved and seconded to amend the Zoning By-Laws by replacing “Garden Style Apartment” with “Multi-Family”, including use table references, and provide definition amendments as follows:

1. To amend the Zoning By-law by deleting the terms “Garden Style Apartment”, as found in Sections 3.1.a(4), 5.C.5.a(1), 5.C.6.a(1), 5.C.7.a(1), 5.C.8.a(1), 5.D.1.a(1), 5.D.2.a(1), 5.D.3.a(1), 5.D.4.a(1), 5.D.5.a(1), 7.3, and 7.11 and replacing them with the terms “Multi-Family Residence”.

2. To amend the Zoning By-law by deleting “GR-Garden Style Apartment” under Section 5.F TABLE OF USE REGULATIONS, DISTRICT ABBREVIATIONS, and replacing it with “MF-Multi-Family Residence”.

3. To amend the Zoning By-law by deleting all references to “GR” in Section 5.F TABLE OF USE REGULATIONS and replacing it with “MF”.

To amend the definition of “Multi-family dwelling” under the “Dwelling Unit” definition of Section 2 of the Zoning By-law

From:

A building or buildings designed for and occupied exclusively as a residence for two families. A multi-family dwelling includes an apartment.

To:

Any building containing more than two dwelling units.

5. To amend Section 2 of the Zoning By-law by adding the following definition for "TOWNHOUSE":

TOWNHOUSE: A dwelling unit with finished living space on more than one story.

The Finance Committee concurred.

The Planning Board report of the public hearing held on September 24, 2001 was given. Due notice was given in the Billerica Minuteman on September 6 and September 13, 2001. On a positive motion to recommend, the Board voted seven (7) in favor and zero (0) opposed. This renames all Garden Style Apartment District to Multi-Family Districts.

The motion as presented was put to a rising vote. With one hundred nineteen (119) voting in favor and one (1) opposed, the motion CARRIED.

The quorum was questioned. With one hundred thirteen (113) Members in the hall, the fifth session of the Annual Fall Town Meeting stood adjourned at 9:56 p.m.

A True Copy

Shirley E. Schult, CMC, CMMC, Town Clerk

**ANNUAL FALL TOWN MEETING
Maurice A. Buck Memorial Auditorium
Sixth Session - October 18, 2001**

A quorum count was called. With one hundred twenty-four (124) Town Meeting Members present, the sixth session of the Fall Town Meeting was declared in session at 7:37 p.m.

ARTICLE 58

It was moved, seconded and VOTED unanimously to reconsider Article 58 after Article 47 because of a technicality.

ARTICLE 56

Rep. Freedman moved to reconsider Article 56. Seconded. The motion to reconsider LOST.

ARTICLES 43, 44 and 45

The Moderator stated that Articles 43, 44 and 45 all deal with rezoning and will be discussed together but will be voted separately.

ARTICLE 43

It was moved and seconded to rezone from an Industrial District to a Rural Residence District land owned by Circle Finance, Inc., off Treble Cove Road and Winning Road, a portion of Assessor's Map 21, Parcel 5-8 in said Town, bounded and described as follows: Area 4 on a plan entitled "Plan Showing Proposed Zoning Overlay, Winning Road, Billerica, MA." dated August 2, 2001, Harry R. Feldman, Inc. Surveyors.

AREA 4

PROPOSED REZONING FROM INDUSTRIAL TO RURAL RESIDENCE WITH TOWN HOUSES (OVERLAY)

A Portion of Parcel 5-8 on Map 21

A certain parcel of land located north of Winning Road and Treble Cove Road in Billerica, Massachusetts, bounded and described as follows:

Beginning at the westerly most corner of the herein described parcel;

Thence running N 82(20'18"E, a distance of 642.85 feet to a point on the easterly lot line of Circle Finance, Inc;

Thence turning and running S 18(20'25"E, a distance of 57.72 feet;

Thence turning and running S 38(05'28"W, a distance of 158.08 feet;

Thence turning and running N 64(12'55"W, a distance of 155.00 feet;

Thence turning and running S 50(02'05"W, a distance of 127.00 feet;

Thence turning and running S 83(17'05"W, a distance of 78.00 feet;

Thence turning and running N 57(57'55"W, a distance of 117.00 feet;

(the last six (6) courses being by the easterly and southerly lot lines of Circle Finance, Inc.)

Thence turning and running N 69(12'55"W, a distance of 154.22 feet in part by the southerly lot line of Circle Finance, Inc. to the point of beginning.

The above described parcel contains an area of about 1.5 acres and is a portion of Parcel 5-8 on Assessor's Map 2

1 and is shown as Area 4 on a plan entitled "Plan Showing Proposed Zoning Overlay, Winning Road, Billerica, Massachusetts" dated August 2, 2001, prepared by Harry R. Feldman, Inc., Land Surveyors.

The Finance Committee recommended.

The Planning Board report of the public hearing held on October 1, 2001 was given. Due notice was given in the Billerica Minuteman on September 13 and September 20, 2001. On a positive motion to recommend, the Board voted four (4) in favor, two (2) opposed and one (1) absent. The Board concluded that townhouses would not be detrimental to the area and that the cleanup of the junkyard would benefit the neighborhood.

ARTICLE 44

It was moved and seconded to rezone from Rural Residential District to an Industrial District the land owned by Robert L. Holland, Trustee of BM Realty Trust/Robert L. Holland on Treble Cove Road/Winning Road in Billerica, MA bounded and described as follows:

AREA 2

PROPOSED REZONING FROM RURAL RESIDENCE TO INDUSTRIAL

A Portion of Parcel 2-1 on Map 30

A certain parcel of land located on the northeast side of Winning Road in Billerica, Massachusetts, bounded and described as follows:

Beginning at a point on the centerline of the travel way of Winning Road in Billerica, Massachusetts, said point being the southwest corner of the herein described parcel;

Thence running N 15(07'57"E, a distance of 10.89 feet;
Thence turning and running N 08(58'40"E, a distance of 79.65 feet to a drill hole;
Thence turning and running N 23(24'12"E, a distance of 27.85 feet to a drill hole;
Thence turning and running N 58(47'03"E, a distance of 42.22 feet;
Thence turning and running N 51(48'35"E, a distance of 37.48 feet;
Thence turning and running N 66(49'27"E, a distance of 114.38 feet to a drill hole;
Thence turning and running N 69(27'22"E, a distance of 75.64 feet;
Thence turning and running N 66(29'52"E, a distance of 87.54 feet to a drill hole;
Thence turning and running N 74(51'38"E, a distance of 274.24 feet; (the last nine (9) courses being by the northwesterly property line of Robert L. Holland)
Thence turning and running S 09(19'47"E, a distance of 248.85 feet;
Thence turning and running S 23(47'58"E, a distance of 442.41 feet;
Thence turning and running S 52(00'37"E, a distance of 493.60 feet;
Thence turning and running S 21(00'58"E, a distance of 100.29 feet to a point of

curvature;

Thence turning and running southeasterly by a curve to the left having a radius of 760.00 feet, a distance of 134.63 feet to a point of tangency;

Thence running S 31(09'57"E, a distance of 49.77 feet to a point of curvature;

Thence turning and running southeasterly by a curve to the left having a radius of 40.00 feet, a distance of 11.63 feet to a point of tangency;

Thence running S 47(49'26"E, a distance of 102.04 feet to a point on the easterly lot line of Robert L. Holland;

Thence turning and running S 05(40'43"E, a distance of 6.92 feet along said lot line of Holland;

Thence turning and running S 26(26'53"W, a distance of 57.51 feet along said lot line of Holland to the point of intersection of the northerly sideline of Treble Cove Road and the centerline of the travel way of Winning Road;

Thence turning and running N 47(49'26"W, a distance of 122.76 feet to a point of curvature;

Thence turning and running northwesterly by a curve to the right having a radius of 100.00 feet, a distance of 29.07 feet to a point of tangency;

Thence running N 31(09'57"W, a distance of 49.77 feet to a point of curvature;

Thence turning and running northwesterly by a curve to the right having a radius of 820.00 feet, a distance of 145.26 feet to a point of reverse curvature;

Thence turning and running northwesterly by a curve to the left having a radius of 130.00 feet, a distance of 68.90 feet to a point of tangency;

Thence running N 51(23'03"W, a distance of 106.60 feet;

Thence turning and running N 48(35'32"W, a distance of 228.37 feet;

Thence turning and running N 55(32'40"W, a distance of 41.41 feet;

Thence turning and running N 64(27'28"W, a distance of 63.55 feet;

Thence turning and running N 77(40'16"W, a distance of 123.69 feet;

Thence turning and running N 55(26'55"W, a distance of 59.51 feet;

Thence turning and running N 41(49'25"W, a distance of 192.46 feet;

Thence turning and running N 46(36'32"W, a distance of 89.96 feet;

Thence turning and running N 58(59'12"W, a distance of 35.93 feet;

Thence turning and running N 75(51'25"W, a distance of 147.01 feet;

Thence turning and running N 73(53'14"W, a distance of 162.81 feet;

Thence turning and running N 70(25'56"W, a distance of 128.54 feet to the point of beginning.

(the last seventeen (17) course being by the centerline of the travel way of Winning Road)

The above described parcel contains an area of about 8.0 acres and is a portion of Parcel 2-1 on Assessor's Map 30 and is shown as a portion of Area 2 on a plan entitled "Plan Showing Proposed Zoning Overlay, Winning Road, Billerica, Massachusetts" dated August 2, 2001, prepared by Harry R. Feldman, Inc., Land Surveyors.

AREA 2

PROPOSED REZONING FROM RURAL RESIDENCE TO INDUSTRIAL

A Portion of Parcel 4-1 on Map 30

A certain parcel of land located at the intersection of Treble Cove Road and Winning Road in Billerica, Massachusetts, bounded and described as follows:

Beginning at the intersection of the northerly sideline of Treble Cove Road with the centerline of the travel way of Winning Road;

Thence running N 26(26'53"E, a distance of 57.51 feet along the westerly lot line of Robert L. Holland;

Thence turning and running N 05(40'43"W, a distance of 6.92 feet along said westerly lot line of Holland;

Thence turning and running S 47(49'26"E, a distance of 43.66 feet to a point on the northerly sideline of Treble Cove Road;

Thence turning and running westerly by a curve to the left having a radius of 663.95 feet, a distance of 64.26 feet along said sideline of Treble Cove Road to the point of beginning.

The above described parcel of land contains an area of about 0.03 acres and is a portion of Parcel 4-1 on Assessor's Map 30 and is shown as a portion of Area 2 on a plan entitled "Plan Showing Proposed Zoning Overlay, Winning Road, Billerica, Massachusetts" dated August 2, 2001, prepared by Harry R. Feldman, Inc., Land Surveyors

The Finance Committee concurred.

The Planning Board report of the public hearing held on October 1st, 2001 was given. Due notice was given in the Billerica Minuteman on September 13th and September 20th, 2001. On a positive motion to recommend, the Board voted two (2) in favor; four (4) opposed and one (1) absent. Therefore, the Board does not recommend this article. Rezoning of this parcel will generate a significant increase in traffic and allow for construction of Winning Road connecting Rangeway Road and Treble Cove Road resulting in a negative impact on the area.

ARTICLE 45

It was moved and seconded to amend the zoning by-laws by rezoning to a Townhouse Overlay District the land owned by Treble Cove Realty, Inc., BM Realty Trust and Circle Finance, Inc. off Treble Cove Road and Winning Road, Assessor's Map 30, Parcel 1; portions of Assessor's Map 30, Parcels 2-1 and 4-1; and a portion of Assessor's Map 21, Parcel 5-8 in said Town bounded and described as follows: Areas 1, 3 and 4 on a plan entitled "Plan Showing Proposed Zoning Overlay, Winning Road, Billerica, MA" dated August 2, 2001, Harry R. Feldman, Inc., Surveyors.

AREA 1

PROPOSED TOWN HOUSE OVERLAY DISTRICT OVER EXISTING NEIGHBORHOOD BUSINESS DISTRICT

Parcel 1 on Map 30

A certain parcel of land located north of Winning Road in Billerica, Massachusetts, bounded and described as follows:

Beginning at the northwest corner of the herein described parcel;

Thence running S 69(12'55"E, a distance of 150.00 feet;

Thence turning and running S 57(57'55"E, a distance of 117.00 feet;

Thence turning and running N 83(17'05"E, a distance of 78.00 feet;

Thence turning and running N 50(02'05"E, a distance of 127.00 feet;

Thence turning and running S 64(12'55"E, a distance of 155.00 feet;

Thence turning and running S 30(12'55"E, a distance of 130.00 feet;

Thence turning and running S 29(12'55"E, a distance of 150.00 feet;

Thence turning and running S 29(42'55"E, a distance of 187.00 feet;

Thence turning and running S 51(47'05"W, a distance of 135.00 feet;

Thence turning and running S 20(17'05"W, a distance of 383.00 feet;

Thence turning and running N 72(12'55"W, a distance of 63.00 feet;

Thence turning and running S 87(17'05"W, a distance of 79.00 feet;

Thence turning and running N 23(27'55"W, a distance of 155.00 feet;

Thence turning and running N 18(38'52"W, a distance of 110.74 feet;

Thence turning and running N 25(12'55"W, a distance of 118.00 feet;

Thence turning and running N 47(42'55"W, a distance of 390.00 feet;

Thence turning and running N 05(17'05"E, a distance of 310.00 feet to the point of beginning.

The above described parcel contains an area of about 9.6 acres and is shown as Parcel 1 on Assessor's Map 30 and as Area 1 on a plan entitled "Plan Showing Proposed Zoning Overlay, Winning Road, Billerica, Massachusetts" dated August 2, 2001, prepared by Harry R. Feldman, Inc., Land Surveyors.

AREA 3

PROPOSED TOWN HOUSE OVERLAY DISTRICT OVER EXISTING RURAL RESIDENCE DISTRICT

A Portion of Parcel 2-1 on Map 30

A certain parcel of land located northeasterly of Winning Road in Billerica, Massachusetts, bounded and described as follows:

Beginning at the southerly most corner of the herein described parcel;

Thence running N 47(49'26"W, a distance of 102.04 feet to a point of curvature;

Thence turning and running northwesterly by a curve to the right having a radius of 40.00 feet, a distance of 11.63 feet to a point of tangency;

Thence running N 31(09'57"W, a distance of 49.77 feet to a point of curvature;

Thence turning and running northwesterly by a curve to the right having a radius of 760.00 feet, a distance of 134.63 feet to a point of tangency;

Thence running N 21(00'58"W, a distance of 100.29 feet;
Thence turning and running N 52(00'37"W, a distance of 493.60 feet;
Thence turning and running N 23(47'58"W, a distance of 442.41 feet;
Thence turning and running N 09(19'47"W, a distance of 248.85 feet to a point on the easterly lot line of Robert L. Holland;
Thence turning and running S 47(42'55"E, a distance of 390.00 feet;
Thence turning and running S 25(12'55"E, a distance of 118.00 feet;
Thence turning and running S 18(38'52"E, a distance of 110.74 feet;
Thence turning and running S 23(27'55"E, a distance of 155.00 feet;
Thence turning and running N 87(17'05"E, a distance of 79.00 feet;
Thence turning and running S 72(12'55"E, a distance of 63.00 feet;
Thence turning and running S 12(32'20"E, a distance of 452.71 feet;
Thence turning and running S 87(16'43"E, a distance of 117.95 feet;
Thence turning and running S 05(40'43"E, a distance of 210.34 feet to the point of beginning.
(the last nine (9) courses being by the easterly lot line of Robert L. Holland)

The above described parcel contains an area of about 4.8 acres and is a portion of Parcel 2-1 on Assessor's Map 30 and is shown as a portion of Area 3 on a plan entitled "Plan Showing Proposed Zoning Overlay, Winning Road, Billerica, Massachusetts" dated August 2, 2001, prepared by Harry R. Feldman, Inc., Land Surveyors.

AREA 3

PROPOSED TOWN HOUSE OVERLAY DISTRICT OVER EXISTING RURAL RESIDENCE DISTRICT

A Portion of Parcel 4-1 on Map 30

A certain parcel of land located on the northerly side of Treble Cove Road in Billerica, Massachusetts, bounded and described as follows:

Beginning at a point on the northerly sideline of Treble Cove Road, said point being the southeast corner of the herein described parcel;
Thence running westerly by a curve to the left having a radius of 663.95 feet, a distance of 77.47 feet along said sideline of Treble Cove Road;
Thence turning and running N 47(49'26"W, a distance of 43.66 feet to a point on the westerly lot line of Robert L. Holland;
Thence turning and running N 05(40'43"W, a distance of 210.34 feet;
Thence turning and running N 87(16'43"W, a distance of 117.95 feet;
Thence turning and running N 12(32'20"W, a distance of 452.71 feet;
Thence turning and running N 20(17'05"E, a distance of 383.00 feet;
Thence turning and running N 51(47'05"E, a distance of 135.00 feet;
Thence turning and running N 29(42'55"W, a distance of 187.00 feet;
Thence turning and running N 29(12'55"W, a distance of 150.00 feet;
Thence turning and running N 30(12'55"W, a distance of 130.00 feet;

Thence turning and running N 38(05'28"E, a distance of 158.08 feet;
Thence turning and running N 18(20'25"W, a distance of 57.72 feet;
(the last ten (10) courses being by the westerly lot line of Robert L. Holland)
Thence turning and running N 82(20'18"E, a distance of 85.30 feet;
Thence turning and running S 08(40'43"E, a distance of 1451.45 feet;
Thence turning and running S 81(19'17"W, a distance of 87.89 feet;
Thence turning and running S 08(40'43"E, a distance of 252.48 feet in part by the
easterly lot line of Robert L. Holland to the point of beginning.

The above described parcel contains an area of about 7.3 acres and is a portion of Parcel 4-1 on Assessor's Map 30 and is shown as a portion of Area 3 on a plan entitled "Plan Showing Proposed Zoning Overlay, Winning Road, Billerica, Massachusetts" dated August 2, 2001, prepared by Harry R. Feldman, Inc., Land Surveyors.

AREA 4

PROPOSED REZONING FROM INDUSTRIAL TO RURAL RESIDENCE WITH TOWN HOUSES (OVERLAY)

A Portion of Parcel 5-8 on Map 21

A certain parcel of land located north of Winning Road and Treble Cove Road in Billerica, Massachusetts, bounded and described as follows:

Beginning at the westerly most corner of the herein described parcel;
Thence running N 82(20'18"E, a distance of 642.85 feet to a point on the easterly lot line of Circle Finance, Inc;
Thence turning and running S 18(20'25"E, a distance of 57.72 feet;
Thence turning and running S 38(05'28"W, a distance of 158.08 feet;
Thence turning and running N 64(12'55"W, a distance of 155.00 feet;
Thence turning and running S 50(02'05"W, a distance of 127.00 feet;
Thence turning and running S 83(17'05"W, a distance of 78.00 feet;
Thence turning and running N 57(57'55"W, a distance of 117.00 feet;
(the last six (6) courses being by the easterly and southerly lot lines of Circle Finance, Inc.)
Thence turning and running N 69(12'55"W, a distance of 154.22 feet in part by the southerly lot line of Circle Finance, Inc. to the point of beginning.

The above described parcel contains an area of about 1.5 acres and is a portion of Parcel 5-8 on Assessor's Map 21 and is shown as Area 4 on a plan entitled "Plan Showing Proposed Zoning Overlay, Winning Road, Billerica, Massachusetts" dated August 2, 2001, prepared by Harry R. Feldman, Inc., Land Surveyors.

The Finance Committee concurred.

The Planning Board report of the public hearing held on October 1, 2001 was given. Due notice was given in the Billerica Minuteman on September 13 and September 20, 2001. On a positive motion to recommend, the Board voted four (4) in favor; two (2) opposed and one (1) absent. Therefore, the Board recommended this article. Townhouses will not be detrimental to the area and the cleanup of the junkyard will benefit the area.

Attorneys Stephen Lentine and James Dangora, Counsels for the petitioners, were allowed forward to make their presentations.

Attorney Stephen Lentine spoke on Articles 43 and 45. Making use of a map handout, he explained that Article 43 deals with a 1.5 acre parcel which abuts the power easement and basically squares off the parcel intended for use as Townhouse Overlay District. The land included in Article 45 will be combined with the land in Article 43 to become part of the Townhouse Overlay District. The intent is to create an 80-unit townhouse complex on the site that will be limited to two bedrooms. It creates a 200-foot buffer abutting the present residential area on Meadowglen Road which will be kept in perpetuity as a conservation area. The condos will be self-supporting, the roads and trash taken care of by the association. In the development there will be an on-site sewer treatment plant built in conjunction with the industrial district. Some of the units will be designated as affordable housing.

Attorney Dangora spoke on Article 44. This land abuts existing industrial land, which in turn abuts Rangeway Road. The proposed rezoning will allow for an entrance from both Treble Cove Road and Rangeway Road. Before anything can be built upon this land, there must be a site plan special permit issued by the Planning Board. He reiterated that there will be an on-site sewer treatment plant which will service both the townhouse complex as well as the industrial site.

Questions were raised regarding the number of affordable housing units and also the on-site sewer plant.

Rep. McLaughlin moved the question. Seconded. With one hundred fifteen (115) members voting in favor and twenty-nine (29) opposed, the motion to end debate CARRIED.

ARTICLE 43

Article 43 was put to a rising vote. With one hundred thirty-four (134) voting in favor and six (6) opposed, Article 43 was CARRIED.

ARTICLE 44

Article 44 was put to a rising vote. With one hundred thirty (130) voting in favor and nine (9) opposed, Article 44 was CARRIED.

ARTICLE 45

Article 45 was put to a rising vote. With one hundred thirty-four (134) voting in favor and five (5) opposed, the motion CARRIED.

Rep. McLaughlin moved to reconsider Articles 43, 44 and 45. Seconded. The motion to reconsider LOST.

ARTICLE 46

It was moved and seconded to rezone from an Industrial District to a Self Service Storage Facility Overlay District the whole or any part of land owned by R. J. Kelly Company on Rangeway Road in Billerica, MA bounded and described as follows:

Description of a portion of Lot 26 to be zoned to Self Service Overlay District.

Beginning at an angle point on the northerly sideline of Rangeway Road being 612.24 feet westerly from land of Swanson.

THENCE: by the northerly sideline of Rangeway Road, in two courses;
N86-22-26W – 288.28 feet, S85-56-58W – 97.02 feet to a point at
the remaining westerly portion of Lot 26,

THENCE: by the remaining westerly portion of Lot 26, in three courses;
N21-54-50W – 411.08 feet, S71-35-49W – 333.16 feet,
N20-17-17W – 468.79 feet to Lot 25 and land, now or formerly, of
Gratten and Rubeski Realty Trust,

THENCE: by Lot 25 in two courses;
N71-59-53E – 257.55 feet, N15-39-36W – 245.29 feet to land, now
or formerly, of PIHCORL Realty Trust

THENCE: by land, now or formerly, of PIHCDRL Realty Trust;
N70-48-25E – 751.72 feet to land, now or formerly of Swanson,

THENCE: by land, now or formerly, of Swanson, in four courses;
S35-22-40E – 273.32 feet, S 32-08-14E – 219.86 feet,
S33-13-28E – 150.24 feet, S 32-41-43E – 110.39 feet to the
remaining easterly portion of Lot 26,

THENCE: by the remaining easterly portion of Lot 26 in three courses;
S58-25-07W – 352.91 feet, S77-21-23W – 93.46 feet,
S12-38-37E – 468.68 feet to the point of beginning,
Containing 21.79 Acres.

The Finance Committee concurred.

The Planning Board report of the public hearing held on September 10, 2001 was given. Due notice was given in the Billerica Minuteman on August 23 and August 30, 2001. On a positive motion to recommend, the Board voted five (5) in favor and two (2) absent. Therefore, the Board does recommend this article. A self-storage facility located on this industrial area is appropriate. Traffic will not be concentrated at peak times and noise should be at a minimum.

Atty. James Dangora, Counsel for the petitioner, spoke on the article.

Town Planner Peter Kennedy recommended that “or any part of” be stricken. This was moved, seconded. The motion CARRIED unanimously.

Rep. Dampolo moved the question. Seconded. The motion to end debate CARRIED unanimously.

The motion as amended was put to a rising vote. With one hundred thirty-five (135) voting in favor and one (1) opposed, Article 46 CARRIED.

ARTICLE 47

It was moved and seconded to rezone from a Neighborhood Residence District to a General Business District the whole of land owned by Farmer, 192 Tower Farm Road Realty Trust and Farmer 191 Tower Farm Road Realty Trust, Boston Road and Tower Farm Road in Billerica, MA, said and described as follows:

Beginning at a point on the easterly sideline of Boston Road at the most southerly point of the parcel at land now or formerly Walter E. Pendleton and Maria T. Bears-Pendelton; thence

N04-06-50W	Four and 12/100 feet (4.12') to a point on the easterly sideline of Boston Road; thence
N06-52-06W	One hundred forty-five and 90/100 feet (145.90') to a point on the easterly sideline of Boston Road, at the corner of Tower Farm Road. Said last two courses are by the easterly sideline of Boston Road; thence
Northeasterly	Along a curve to the right having a radius of twenty-five and 00/100 (25.00') and a length of thirty-four and 86/100 feet (34.86') to a point; thence
N73-01-19E	Three hundred forty-nine and 66/100 feet (349.66') to point at land now or formerly Farmer 190 Tower Farm Road Realty Trust. Said last two courses are by the southerly sideline of Tower Farm Road; thence
S30-43-10E	Sixty-one and 37/100 feet (61.37') to a point, said last course by land of Farmer 190 Tower Farm Road Realty Trust; thence
S47-00-06W	One hundred forty-three and 00/100 feet (143.00') to a point, said last course by land of Amraos & Harjinder, K. Gill; thence
S63-55-39W	Two hundred ninety and 53/100 feet (290.53') to the point of beginning. Said last course by land of Janet L. Malden, Trustee, Janet Realty Trust, George K. Malden Trustee, Advanced Realty Trust and Walter E. Pendelton and Maria T. Bears-Pendelton.

The above-described parcel of land contains 50,298 square feet, more or less, and is more particularly shown as Lot 1 and 271 on Plan of land entitled "Rezoning Plan of Land in Billerica, MA. Middlesex County," Date: May 3, 2001, by Noonan & McDowell, Inc., 25 Bridge Street, Suite 6, Billerica, MA.

The Finance Committee concurred.

The Planning Board report of the public hearing held on September 10, 2001 was given. Due notice was given in the Billerica Minuteman on August 23 and August 30, 2001. On a positive motion to recommend, the Board voted zero (0) in favor and five (5) opposed. Therefore, the Board did not recommend this rezoning. General business on this site will be detrimental to the abutting residential neighborhood. Traffic and noise generated by business has potential to cause new problems. This and the over-supply of business and retail districts along Boston Road are good reasons to maintain the existing residential zoning.

Atty. James Dangora, Counsel for the petitioner, presented the article. This land is located at the corner of Boston Road and Tower Farm Road opposite Friendly's Restaurant, across the street from Osco Drug and at an intersection that has traffic lights. In 1971, this parcel was designated as a buffer zone. Because there was no definition of a buffer zone in the by-laws, the Supreme Court ruled that this must be allowed as a residential use.

Considerable discussion ensued.

Rep. Revane moved the question. Seconded. The motion to end debate CARRIED unanimously.

The motion was put to a rising vote. With nine (9) voting in favor and one hundred twenty-two (122) opposed, the motion LOST.

ARTICLE 58

It was moved and seconded to amend Article 58 as previously voted by adding "5.C.4.i.2" to the first section.

The main motion with the amendment attached CARRIED unanimously.

ARTICLE 59

A scribner's error was noted. "Multi-family Dwelling" should be substituted for "Garden-style Apartment" in all places where "Garden-style Apartment" appears. It was moved, seconded and VOTED to so amend the by-law.

It was moved and seconded to amend Section 5.C.4.i(2) of the Zoning By-law to provide consistent provisions with those in the Townhouse Overlay and Elderly Overlay Districts as follows:

(CHANGES ARE SHOWN BELOW IN BOLD ITALICS)

(2) By special permit:

- (a) All uses permitted by special permit in the Village Residence District
- (b) ~~Garden-style apartment~~ ***Multi-family Dwelling***

Requirements for Use:

AREA AND FRONTAGE

- The minimum site size for such use shall be 1.5 acres.
- The minimum frontage shall be 150 feet.

DENSITY

- Buildings shall not cover more than 30% of the site.
- At least 40% percent of the site shall be maintained as green space.
- There shall be a minimum distance of 40 feet between residential buildings.
- No open parking or driveway shall be closer than 15 feet to a wall containing ***habitable space***.
- A minimum of 7,500 square feet of land shall be required for each dwelling unit. ***If consistent with M.G.L. ch. 40B, §§ 20-23 the minimum shall be 6,800 square feet.***
- The area used in the calculation shall not include any bordering vegetative wetlands defined by M.G.L., ch. 131, § 40 and by 310 CMR 10.00 or any flood plain as described in this Zoning By-law.

YARDS

- **On each site there shall be provided a minimum setback of 35 feet from the front lot line, a minimum setback of thirty 30 feet from each of the side lot lines, and a minimum setback of thirty 30 feet from the rear lot lines.**
- Where a ~~garden-style apartment~~ ***multi-family*** development abuts a single family district, side and rear setbacks shall be increased to 50 feet, which shall be retained in its natural wooded state or landscaped along the perimeter of the site abutting the single family district. In all cases, a landscaped buffer strip shall be provided so as to protect adjoining properties from the effects of noise, light, air ,or visual impact.

HEIGHT

- ~~Garden-style apartment~~ ***multi-family dwelling*** buildings shall not exceed two and one-half stories ***or*** be more than 35 feet in height, provided that no ***habitable space*** shall be located below the mean finished grade of the ground adjoining the building ***or*** above the second story.

PARKING

- There shall be **a minimum of** two parking spaces per dwelling unit.

INFRASTRUCTURE

- All sites must be served by *sewer and water as approved by the appropriate Town board, department, commission, or agent.*
- *All sites shall have fire lanes as designated by the Billerica Fire Department for the purposes of fire protection.*

ACCESS DRIVE

- *All access drives shall be designed and constructed in accordance with the criteria specified by the Billerica Department of Public Works.*

AFFORDABLE HOUSING COMPONENT

- The SPGA may consider the provision of affordable housing (see section 2 definition) as a criterion for the granting of approval under this by-law. Prior to submission of an application for a special permit the applicant shall meet with the Billerica Housing Partnership Committee (BHPC) to discuss provision of affordable housing. A written recommendation from the BHPC shall be required as part of the application. The goal is to include 10% of the proposed units as affordable. The SPGA, in consultation with the BHPC, may modify this goal if it is in the best interest of the town. The Billerica Housing Authority is exempt, because the units under their control are categorically affordable.

DWELLING UNITS

- ~~*Garden-style apartments*~~ *Multi-family Dwelling Units may be maintained as rental units or may be sold as condominiums. This shall not restrict the allocation of outdoor space adjacent to individual dwelling units for the exclusive use of the occupants of specific dwelling units.*

ACCESSORY BUILDINGS AND STRUCTURES

- *Swimming pools, garages, and all accessory uses, buildings and structures that are part of a ~~garden-style-apartment~~ multi-family dwelling development shall comply with the green strip and setback requirements of the Zoning By-law.*
- *A community building for meetings and social activities of the residents shall be permitted, but shall not exceed 2,000 square feet of gross floor area and shall comply with all green strip and setback requirements of the Zoning By-law.*
- *All accessory uses, buildings and structures shall provide adequate parking.*

Required Findings:

- The use complies with the site plan approval requirements of the Zoning By-law
- The requested use is desirable to the public convenience or welfare

- *The requested use provides for the convenience and safety of vehicular and pedestrian movement within the site, and in relation to adjacent streets, property, and improvements*
- The requested use will not create or add to undue traffic congestion, or unduly impair pedestrian safety
- The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare
- The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the public health, convenience or welfare
- The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood
- The design and architectural treatment of the use is not incongruous or inappropriate to the character of the neighborhood in which it is proposed to be constructed
- *There is an adequate landscape buffer strip provided to protect adjoining properties from the effects of noise, lights, air, or visual impact*
- *No building or access facilities shall be placed on any portion of the land determined by the Board of Health to be unsuitable for such construction*

The Finance Committee did not have a recommendation.

The Planning Board report of the public hearing held on September 24, 2001 was given. Due notice was given in the Billerica Minuteman on September 6 and September 13, 2001. On a positive motion to recommend, the Board voted seven (7) in favor and zero (0) opposed. These changes will make the three districts, which allow multi-family development consistent. Considerable discussion ensued relative to affordable housing requirements.

Rep. Annesse moved the question. Seconded. The motion to end debate CARRIED unanimously.

The main motion as amended was put to a rising vote. With ninety-six in favor and sixteen (16) opposed, the motion CARRIED.

ARTICLE 63

It was moved and seconded to dismiss Article 63 on the advice of Counsel. The motion for dismissal CARRIED.

ARTICLE 60

It was moved and seconded to amend Sections 5.E.4 and 5.E.5 of the Zoning By-law to provide consistent requirements for multi-family developments, townhouse developments and elderly housing developments as written in the warrant.

The Finance Committee concurred.

The Planning Board report of the public hearing held on September 24, 2001 was given. Due notice was given in the Billerica Minuteman on September 6 and September 13, 2001. On a positive motion to recommend, the Board voted seven (7) in favor and zero (0) opposed. These changes will make the three districts, which allow multi-family development to be consistent.

Rep. Wetzel moved to amend the Section "YARDS" to increase the setbacks from "50 feet" to "85 feet" in both the Townhouse Overlay District and the Elderly Housing Overlay District. Seconded. The Moderator ruled that this amendment is not within the scope of the article.

Rep. Wetzel urged the body to defeat this article and keep the buffer.

Rep. Giovino moved to amend Section 4-Townhouse Overlay District – Height by adding the words "provided that no living quarters shall be located below the mean finished grade of the ground adjoining the building or above the second story." Seconded.

Rep. Smith moved to end debate. Seconded. The motion to end debate CARRIED.

The amendment was put to a vote. The motion LOST.

Discussion continued on the main motion.

Rep. Cavicchio moved the question. Seconded. The motion to end debate CARRIED.

The main motion was put to a rising vote. With twenty-three (23) voting in favor and eighty-six (86) opposed, the motion LOST.

Rep. Moreira moved to dissolve the Zoning By-Law Review Committee with the thanks of Town Meeting. Seconded. The motion CARRIED unanimously.

Rep. Wetzel moved to reconsider Article 60. Seconded. Reconsideration LOST.

ARTICLE 42

It was moved and seconded to amend Section 5.C.1.i.(2)(c) of the Zoning By-Laws as follows:

(c) In-law apartment

Required Findings:

- The living quarters are separate, but located in the principal building
- The living quarters do not exceed 800 square feet

- There are no more than two related persons as occupants
- There is sufficient off-street parking for the use
- The principal building in which the use is located retains its single family dwelling appearance
- The use shall not continue upon vacation of the premises by the occupants except that, if the principal use dwelling remains owner occupied, with approval of the Building Inspector the accessory dwelling unit may be rented to no more than two individuals 55 years of age or older as an affordable dwelling unit as defined under section 2. The Billerica Housing Authority or other agency qualified by the Board of Selectmen shall be responsible for tenant qualification and the long term monitoring of these units. This agency shall qualify tenants on a yearly basis and leases shall contain language requiring yearly re-certification. The agency shall send a notice to the Building Inspector if the tenant is not re-certified. Owners shall be responsible for the cost of certifications.

The Finance Committee concurred.

The Planning Board report of the public hearing held on October 1, 2001 was given. Due notice was given in the Billerica Minuteman on September 13, and September 20, 2001. On a positive motion to recommend, the Board voted six (6) in favor and one (1) absent. This by-law would allow the extension of in-law apartments as affordable housing for people over 55 and includes an enforcement mechanism.

Considerable discussion ensued. Several representatives had serious concerns regarding the finding that the Housing Authority would be responsible for who could live in an in-law apartment and not the owner/occupant of the home.

Rep. O'Neil moved the question. Seconded. The motion to end debate CARRIED unanimously.

The motion as presented was put to a rising vote. With fifty-eight (58) in favor and thirty-eight (38) opposed, the motion LOST.

Rep. Lally moved to reconsider Article 42. Seconded. With thirty-four (34) in favor and sixty-four (64) opposed, reconsideration LOST.

Rep. Moreira moved to ratify and affirm all action taken at this 2001 Annual Fall Town Meeting. Seconded. The motion to ratify and affirm CARRIED unanimously.

Rep. Moreira moved that the 2001 Annual Fall Town Meeting stand adjourned. Seconded. The motion CARRIED. The Annual Fall Town Meeting of October, 2001 was declared dissolved at 10:26 p.m. on October 18, 2001.

A True Copy

Shirley E. Schult, CMC, CMMC, Town Clerk

WARRANT FOR ANNUAL TOWN ELECTION

Middlesex, ss

To Any Constable in the Town of Billerica:

Greetings:

You are hereby authorized and required to notify and warn the inhabitants of said Town of Billerica, qualified by law, to vote in Elections and Town Affairs, to meet at the Parker School, Billerica Center; Solomon Gunther Hajjar School, North Billerica; Ditson School, Pinehurst, Eugene C. Vining School, Nutting Lake; John F. Kennedy School, East Billerica and the Dutile School, West Billerica at 10:00 A.M., Saturday, April 6, 2002, to bring in their votes on one ballot for the following Town Officers:

Two members of the Board of Selectmen, One Town Clerk, Two members of the Planning Board, Two members of the School Committee, One member of the Regional Vocational School District Committee, all for three years; One Member of the Housing Authority for five years;

Also for the election of Twenty-two (22) Town Meeting Members for Precinct One; Twenty-two (22) Town Meeting Members for Precinct Two; Twenty-two (22) Town Meeting Members for Precinct Three; Twenty-two (22) Town Meeting Members for Precinct Four; Twenty-two (22) Town Meeting Members for Precinct Five; Twenty-one (21) Town Meeting Members for Precinct Six; Twenty-two (22) Town Meeting Members for Precinct Seven; Twenty-two (22) Town Meeting Members for Precinct Eight; Twenty-one (21) Town Meeting Members for Precinct Nine; Twenty-two (22) Town Meeting Members for Precinct Ten and Twenty-two (22) Town Meeting Members for Precinct Eleven.

And you are hereby directed to serve this Warrant by posting true and attested copies thereof, one copy at the East Billerica Fire Station; one copy at the Ninety-Nine Restaurant, Lexington Road; one copy at the Billerica Walk-In Medical Center on Boston Road; one copy at the Nuttings Lake Post Office; one copy at the North Billerica Post Office; one copy at the West Billerica Fire Station, Nashua Road; one copy at DeMoulas Market Basket, Towne Plaza, Boston Road; one copy at the Center Post Office, Boston Road, one copy at the Pinehurst Fire Station; one copy at the North Billerica Fire Station; one copy at the Town Hall, Boston Road; one copy at the Billerica Police Department, one copy at the Billerica Public Library; one copy at Michael's Bakery, Boston Road and one copy at the Pinehurst Post Office..

Given under our hands this seventeenth day of January, 2002.

S/Robert M. Correnti
Robert M. Correnti, Chairman

S/Michael S. Rosa
Michael S. Rosa, Vice-Chairman

S/Ellen Day Rawlings

S/Peter M. Coppinger

Ellen Day Rawlings, Secretary

Peter M. Coppinger

S/James F. O'Donnell, Jr.
James F. O'Donnell, Jr.

BOARD OF SELECTMEN

A True Copy

ATTEST:

S/Al Melaragni, Constable, Town of Billerica

March 25, 2002

Shirley E. Schult, CMC, CMMC
Town Clerk
Town Hall
Billerica, MA 01821

Dear Mrs. Schult:

I have posted the Warrant for the ANNUAL TOWN ELECTION to be held on April 6, 2002 at the following locations:

Town Hall
East Billerica Fire Station
West Billerica Fire Station, Nashua Road
Pinehurst Fire Station
North Billerica Fire Station
Ninety-Nine Restaurant, Lexington Road
Billerica Walk-In Medical Center, Boston Road
Nutting Lake Post Office
North Billerica Post Office
Pinehurst Post Office
Center Post Office, Boston Road
Market Basket, Towne Plaza, Boston Road
Billerica Public Library
Michael's Bakery, Boston Road
Billerica Police Station

Sincerely,

S/Al Melaragni
Constable, Town of Billerica

**TOWN ELECTION
APRIL 6, 2002**

ELECTION RESULTS - ANNUAL TOWN ELECTION - BILLERICA, MASSACHUSETTS APRIL 6, 2002												
	Pct 1	Pct. 2	Pct. 3	Pct. 4	Pct. 5	Pct. 6	Pct. 7	Pct. 8	Pct. 9	Pct. 10	Pct. 11	TOTAL
SELECTMAN												
ROBERT M CORRENTI	245	365	261	279	312	231	185	247	247	265	314	2951
JOHN E BARTLETT	214	171	141	180	215	126	242	197	126	220	167	1999
FRANCIS FRAINE	287	339	282	260	257	212	152	257	223	249	308	2826
JAMES D MOLLISON	77	86	72	84	96	62	145	126	69	95	96	1008
SCATTERINGS	0	1	2	0	1	1	2	2	1	2	2	14
BLANKS	87	98	124	103	121	58	94	91	78	93	115	1062
Total Votes	910	1060	882	906	1002	690	820	920	744	924	1002	9860
TOWN CLERK												
SHIRLEY E SCHULT	365	434	350	353	391	262	311	347	303	370	391	3877
SCATTERINGS	2	4	4	1	4	1	1	10	1	1	3	32
BLANKS	88	92	87	99	106	82	98	103	68	91	107	1021
Total Votes	455	530	441	453	501	345	410	460	372	462	501	4930
PLANNING BOARD												
RICHARD TORTOLA	233	244	148	168	182	215	116	173	120	156	273	2028
STEPHEN L HART	178	198	220	171	176	71	197	187	164	147	160	1869
JAMES E FOYE	118	134	131	134	213	47	115	175	106	260	105	1538
JOHN H SKINNER	153	182	127	127	126	223	151	133	110	109	203	1644
SCATTERINGS	2	3	3	2	0	3	1	1	2	4	5	26
BLANKS	226	299	253	304	305	131	240	251	242	248	256	2755
Total Votes	910	1060	882	906	1002	690	820	920	744	924	1002	9860

	Pct 1	Pct. 2	Pct. 3	Pct. 4	Pct. 5	Pct. 6	Pct. 7	Pct. 8	Pct. 9	Pct. 10	Pct. 11	TOTAL
SCHOOL COMMITTEE												
JOSEPH CARROLL, JR	139	168	118	145	190	95	136	170	117	170	154	1602
THOMAS F GALLIGANI	210	267	213	244	226	135	163	180	168	212	201	2219
VINCENT A AMATO, JR	104	104	135	108	127	87	130	102	97	91	140	1225
ROBERT C NORMAN	154	146	95	84	111	133	93	129	100	114	194	1353
JESSICA R DIORIO	192	235	196	163	192	144	156	181	168	200	155	1982
SCATTERINGS	0	1	1	0	0	2	0	1	1	1	3	10
BLANKS	111	139	124	162	156	94	142	157	93	136	155	1469
Total Votes	910	1060	882	906	1002	690	820	920	744	924	1002	9860
HOUSING AUTHORITY												
HELEN G GENTILE	302	249	259	264	275	218	198	245	227	265	239	2741
MILTON SAUNDERS	113	228	126	113	137	88	130	152	98	132	194	1511
SCATTERINGS	0	3	1	2	0	1	0	0	1	0	0	8
BLANKS	40	50	55	74	89	38	82	63	46	65	68	670
Total Votes	455	530	441	453	501	345	410	460	372	462	501	4930
REG VOC SCHOOL												
B HAMILTON KEARNS	184	179	194	172	194	124	170	185	145	200	207	1954
BERNARD F HOAR	242	323	222	238	265	199	192	241	206	233	247	2608
SCATTERINGS	0	1	1	0	0	1	0	1	0	2	2	8
BLANKS	29	27	24	43	42	21	48	33	21	27	45	360
Total Votes	455	530	441	453	501	345	410	460	372	462	501	4930
PCT 1 TOWN MTG MEMBERS												
GEORGE A MERRILL, JR	273											273
SANDRA MACMILLAN	276											276
RONALD F TURNER	264											264
MARCELLINE P HIGGINS	277											277
LORRAINE LALLY	260											260
JOANNE M GAGLIARDI	286											286
DAVID A GAGLIARDI	277											277
GERALD A YOUNG, JR	256											256

	Pct 1	Pct. 2	Pct. 3	Pct. 4	Pct. 5	Pct. 6	Pct. 7	Pct. 8	Pct. 9	Pct. 10	Pct. 11	TOTAL
NICOLE BRIEN	39											39
SCATTERINGS	70											70
BLANKS	7732											7732
Total Votes	10010											10010
PCT 2 TOWN MTG MEMBERS												
JEANNE LEGALLO		295										295
JOHN MARK JOHNSON		249										249
THOMAS H CONWAY, JR		369										369
JOHN E COPPINGER		353										353
PAUL J COPPINGER		348										348
PHILIP J NEWFELL		332										332
ANTHONY R IOVANNA		309										309
PETER RAWLINGS		317										317
CAROL D WOOD		297										297
PETER E MARCK		237										237
JOHN A HARLOW		272										272
JOHN COYNE		302										302
BEVERLY MARCK		245										245
BRADFORD O'NEILL		260										260
BRIAN D DUGAY		215										215
EDWARD J GIROUX		232										232
DANIEL J LOONEY, JR		256										256
OLGA S SYMES		214										214
BERNARD F HOAR		317										317
JOHN A ALIPERTA		203										203
KATHERINE M PERRY		211										211
ELLEN DAY RAWLINGS		333										333
SANDRA GIROUX		214										214
JOHN CIANCIO, JR		257										257
HELEN POTTER		11										11
SCATTERINGS		12										12
BLANKS		5000										5000
Total Votes		11660										11660

	Pct 1	Pct. 2	Pct. 3	Pct. 4	Pct. 5	Pct. 6	Pct. 7	Pct. 8	Pct. 9	Pct. 10	Pct. 11	TOTAL
PCT 3 TOWN MTG MEMBERS												
WILLIAM F LOUGHLIN			262									262
GILBERT A MOREIRA			299									299
BARBARA J SOLOMON			275									275
J.C. CANADAS			252									252
WALTER R PERRY			257									257
SUSAN D MOREIRA			284									284
CLAIRE M BABCOCK			262									262
RALPH MORRISON			264									264
ROBERT F SMITH			260									260
HELEN B SMITH			257									257
LAWRENCE R NORMAN			248									248
JOHN F GRAY, JR			268									268
MARY A PETTY			261									261
MARYANNE J PERRY			253									253
MARIE C LOUGHLIN			244									244
CATHERINE E MARSHALL			271									271
MICHAEL RILEY			13									13
SCATTERINGS			27									27
BLANKS			5445									5445
Total Votes			9702									9702
PCT 4 TOWN MTG MEMBERS												
ROBERT M CORRENTI				290								290
BRIAN LUTTRELL				236								236
KATHRYN M MATOS				223								223
BRIAN P KELLY				224								224
JOHN C YAVANIAN				228								228
JAMES A BRADLEY				206								206
BESSIE G KILLEEN				211								211
JOSEPH E LEBLANC				212								212
MARTI MAHONEY				218								218
ALMA J ELKINS				214								214
MICHAEL O'BRIEN				208								208
ROBERT D KILLEEN				201								201

	Pct. 1	Pct. 2	Pct. 3	Pct. 4	Pct. 5	Pct. 6	Pct. 7	Pct. 8	Pct. 9	Pct. 10	Pct. 11	TOTAL
PETER A ANNUNZIATA				250								250
VINCENT D MACDONALD				188								188
JOHN J PISCATELLI				206								206
PHILLIP J TAMMARO				243								243
DOUGLAS W FOGERTY				197								197
GILBERT W GRIGGS				262								262
ROMOLO CAPOBIANCO				209								209
TED CLARK				195								195
SCATTERINGS				25								25
BLANKS				5520								5520
Total Votes				9966								9966
PCT 5 TOWN MTG MEMBERS												
VINCENT J CANGIAMILA					281							281
MARIE P BLANCHETTE					268							268
LILLIE M RALSTON					246							246
KRISTAN M DECESARO					240							240
MICHAEL S ROSA					290							290
SALVATORE A DAMPOLO					260							260
JOEL WILLIAMS					229							229
T JOSEPHINE LEARY					210							210
JAMES F O'DONNELL JR					273							273
DONALD L FAY					252							252
JOHN W MORRIS					252							252
JOHN RIPA					237							237
KENNETH L BUFFUM					283							283
MADELINE T SARGENT					249							249
STEWART WOOD					247							247
DONALD E WILSON					213							213
MARY A PASHO					298							298
DIANE HADLEY					21							21
BRION CANGIAMILA					8							8
CHRIS CONNELL					7							7
SCATTERINGS					43							43
BLANKS					6615							6615

	Pct 1	Pct. 2	Pct. 3	Pct. 4	Pct. 5	Pct. 6	Pct. 7	Pct. 8	Pct. 9	Pct. 10	Pct. 11	TOTAL
Total Votes					11022							11022
PCT 6 TOWN MTG MEMBERS												
PIERRE J ALLAIN						195						195
DAVID SAVIANO						194						194
PHYLLIS A MACDONALD						200						200
DOROTHY M CALLIHAN						200						200
EDWARD R MCLAUGHLIN						232						232
COSMO D CAVICCHIO JR						216						216
JOHN K SAULNIER						174						174
MARGARET M NEWHALL						177						177
DONALD F MACDONALD						193						193
S PASCIUTO, JR						217						217
RICHARD L ANNESE						200						200
MALCOLM P MCDOWELL						189						189
F BREITWIESER, JR						184						184
ROBERT E MURPHY						192						192
ROSEMARY E SAVIANO						187						187
ERIK P SZYMANSKI						195						195
PAULINE M. BROWNE						24						24
SCATTERINGS						63						63
BLANKS						4013						4013
Total Votes						7245						7245
PCT 7 TOWN MTG MEMBERS												
WILLIAM R SIEVERT							202					202
DIANE J DEPASO							217					217
THOMAS W WOODFORD							197					197
JOHN E BARTLETT							269					269
VINCENT A AMATO, JR							236					236
MARY K MCBRIDE							189					189
RAYMOND W FISCHER							229					229
FRANK M BUSALACCHI							234					234
PETER M COPPINGER							283					283

	Pct 1	Pct. 2	Pct. 3	Pct. 4	Pct. 5	Pct. 6	Pct. 7	Pct. 8	Pct. 9	Pct. 10	Pct. 11	TOTAL
EARL C LEAVITT							180					180
ROSALIND C BARTLETT							254					254
JANICE D BUSALACCHI							229					229
STEPHEN K WETZEL							207					207
JAN WETZEL							201					201
JAMES D MOLLISON							241					241
JONATHAN MUNRO							176					176
STEPHEN L HART							217					217
ROBERT A PATTEN, III							186					186
JAMES M MCDONOUGH							198					198
DAVID R LASKEY							205					205
FRANK RUGGERI							33					33
JOSEPH SHARROCK							21					21
SCATTERINGS							20					20
BLANKS							4596					4596
Total Votes							9020					9020
PCT 8 TOWN MTG MEMBERS												
JOHN L NOONAN								273				273
CHARLENE MCCARTHY								261				261
JOAN C TOSCANO								266				266
JACQUELINE G GURNEY								238				238
SCOTT W WINCHELL								233				233
BEVERLY CHORBAJIAN								254				254
HELEN R KNIGHT								266				266
BARBARA MORRISSEY								253				253
JOANNE M GIOVINO								257				257
OREN D HUNT, JR								251				251
WILLIAM T MERNIN								210				210
STEPHEN R DRESSER								242				242
DENNIS ABRAMS								12				12
KATELYN A. GIOVINO								20				20
SCATTERINGS								35				35
BLANKS								7049				7049
Total Votes								10120				10120

	Pct. 1	Pct. 2	Pct. 3	Pct. 4	Pct. 5	Pct. 6	Pct. 7	Pct. 8	Pct. 9	Pct. 10	Pct. 11	TOTAL
PCT 9 TOWN MTG MEMBERS												
ANTHONY V CAPEZZA JR									224			224
DIANE L MILANO									237			237
JAMES PATRICK LALLY									229			229
PATRICIA C FLEMMING									230			230
DONALD J RYAN									217			217
NICHOLAS J ROSA									240			240
ROBERT P MELANSON									235			235
MARC F LALLY									224			224
ELAINE T HORLINK									238			238
FRANCIS A SARNO									241			241
RINO MORICONI									237			237
CHERYL LALLY									8			8
DIANE L.MILANO									8			8
MICHAEL CASEY									12			12
SCATTERINGS									0			0
BLANKS									5232			5232
Total Votes									7812			7812
PCT 10 TOWN MTG MEMBERS												
ROGER ADAM NOWICKI										243		243
DORIS M PEARSON										293		293
EDWARD J HURD										286		286
ANDREW J BOWEN										234		234
JOSEPH L DEVLIN										236		236
ISABELL M REARDON										235		235
PETER D GREELEY										242		242
ARTHUR L DOYLE										298		298
ALFRED R PEARSON, JR										252		252
WILLIAM H DESMOND										234		234
CHARLENE MCGOWAN										240		240
JERRY A HOUGHTON										246		246
NANCY L SMITH										245		245
MARIE L O'ROURKE										278		278

	Pct 1	Pct. 2	Pct. 3	Pct. 4	Pct. 5	Pct. 6	Pct. 7	Pct. 8	Pct. 9	Pct. 10	Pct. 11	TOTAL
JAMES T DANGORA, JR										290		290
JAMES E FOYE										260		260
SCATTERINGS										65		65
BLANKS										5987		5987
Total Votes										10164		10164
PCT 11 TOWN MTG MEMBERS												
KAREN A MILLER											276	276
ROBERT C NORMAN											291	291
ROGER BIAGIOTTI, JR											290	290
JOSEPH E SILVA											258	258
ANTHONY BARBERE											247	247
RICHARD N FREEDMAN											239	239
ILANA FREEDMAN											251	251
HARRY E CHRONISTER											250	250
MICHAEL T REVANE											290	290
BRUCE EPPICH											234	234
LISA MOSCONE											248	248
DONALD P BURLAMACHI											247	247
PAUL E SHIBLES											248	248
EDWARD A BUNKER											230	230
ROBERT B ACCOMANDO											309	309
BARBARA G NORMAN											271	271
MARIE MASSEY											247	247
MILTON SAUNDERS											278	278
DANIEL BURNS											14	14
LILLIAN COLBY											12	12
SCATTERINGS											19	19
BLANKS											6273	6273
Total Votes											11022	11022

PRECINCT OFFICERS TOWN ELECTION – APRIL 6, 2002

PRECINCT 1

Warden
Clerk
Deputy Warden
Deputy Clerk
Inspector
Inspector
Deputy Inspector
Deputy Inspector

Paula C. Baldwin
Nancy L. Desmond
Carol Crozier
Barbara L. Arey
Robert Bruce Baldwin
Ellen Sargent
Judy Sanborn
Dorothy L. O'Brien

PRECINCT 6

Warden
Clerk
Deputy Warden
Deputy Clerk
Inspector
Inspector
Deputy Inspector
Deputy Inspector

Anita Gass
Yoshiko A. Wright
Ellen L. Bordieri
Donna M. Burlamachi
Jan Aalerud
Jane Kennedy
Robert H. Norman
Frances A. O'Donnell

PRECINCT 2

Warden
Clerk
Deputy Warden
Deputy Clerk
Inspector
Inspector
Inspector
Deputy Inspector

Joan C. McDonald
Donna McCoy
Sandra McKenna
Nicholas Aalerud
June M. Barbour
Gilmore Smith
Margaret Metivier
Joseph E. McDonald

PRECINCT 7

Warden
Clerk
Deputy Warden
Deputy Clerk
Inspector
Inspector
Deputy Inspector
Deputy Inspector

Rachel L. Goding
Donald J. Ryan
Dorothy L. Pearson
Margaret Palasek
Angela DeMeo
Caroline K. Noel
Oren D. Hunt, Jr.
Bethaney A. Hatch

PRECINCT 3

Warden
Clerk
Deputy Warden
Deputy Clerk
Inspector
Inspector
Deputy Inspector
Deputy Inspector

Carol A. Ryan
Catherine A. Fleurant
Beverly H. Clericuzio
Edna G. McDowell
Harry E. Chronister
Roy Griffin
Joan C. Kilday
Mary J. Bryan

PRECINCT 8

Warden
Clerk
Deputy Warden
Deputy Clerk
Inspector
Inspector
Deputy Inspector
Deputy Inspector

JoAnn B. Costedio
Alec Ingraham
Catherine J. Mullen
Patricia Gualtieri
Elda L. Medeiros
Susan A. Hutchinson
Leo Benjamin
Susan M. O'Brien

PRECINCT 4

Warden
Clerk
Deputy Warden
Deputy Clerk
Inspector
Inspector
Deputy Inspector
Deputy Inspector

Dorothy M. Ryan
Alan J. Wright
Marilyn Treanor
Eleanor A. Sievert
Mary McBride
LillieM. Ralston
Eileen Flaherty
Cheryl Steele

PRECINCT 9

Warden
Clerk
Deputy Warden
Deputy Clerk
Inspector
Inspector
Deputy Inspector
Deputy Inspector

M. Eileen Cotter
A. Kathleen Revane
Barbara A. Bailey
Mary J. Griffin
Tonie T. Trainor
Brigitte Buzalsky
Katherine Graham
Cathleen Jenkins

PRECINCT 5

Warden
Clerk
Deputy Warden
Deputy Clerk
Inspector
Inspector
Deputy Inspector
Deputy Inspector

Marie O'Rourke
Barbara Brostowin
Alfred Pearson, Jr.
Mary A. Wilson
Janice Metivier
Beverly Ouano
Domenic Ciotti

PRECINCT 10

Warden
Clerk
Deputy Warden
Deputy Clerk
Inspector
Inspector
Deputy Inspector
Deputy Inspector

Barbara Reinecker
James V. Hoyt, Jr.
Earle F. Merrow
Barbara G. Norman
Mary A. Pasho
Delores Ballou
Jane C. MacIntosh

PRECINCT 11

Warden	Dianne S. Bone
Clerk	Lorraine Balboni
Deputy Warden	Tina M. Ryan
Deputy Clerk	Albert Balboni
Inspector	Shirley J. Robichaud
Inspector	Goldie D. Coburn
Deputy Inspector	Susan Aker
Deputy Inspector	Jeannette B. Rohnstock
Deputy Inspector	Margaret DiPietro

WARRANT FOR 2002 ANNUAL SPRING TOWN MEETING

Middlesex, ss.

To any Constable in the Town of Billerica

Greetings,

You are hereby authorized and requested to notify and warn the inhabitants of said Town of Billerica qualified by law to vote in Elections and Town Affairs, to meet at the Maurice A. Buck Memorial Auditorium, Town Hall, 365 Boston Road, Billerica, MA., Tuesday, May 7, 2002 at 7:30 p.m. and subsequent Thursdays and Tuesdays until all of the business in the Warrant shall have been acted upon, then and there to vote on the following articles:

ARTICLE 1

To see if the Town will vote to fix the compensation of the following six elected officers of the Town and determine any salary increase that shall become effective July 1, 2002.

Selectmen, Chairman - \$2,000

Selectmen, Members - \$1,800

Town Clerk - \$79,992; or act in relation thereto.

Submitted by the Billerica Finance Committee

ARTICLE 2

To see if the Town will vote to hear and act upon the Reports of Town Departments and Officers; or act in relation thereto. Submitted by the Board of Selectmen

ARTICLE 3

To see if the Town will vote to transfer from available funds the sum of \$320,000 to fund various FY2002, budget line items; or act in relation thereto.

Transfer from:

Town Debt Interest

Town Debt Interest

Transfer to:

Town Group Insurance -- \$90,000

Water Department Supplies/Expenses -- \$130,000

Water Dept. Full-Time Salaries Water Department Utilities -- \$25,000

Highway Dept. Full-Time Salaries Water Department Utilities -- \$75,000

Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 4

To see if the Town will vote to adopt, pursuant to Article 5, of the Billerica Home Rule Charter, the following proposed line item budget for fiscal year 2002 – 2003 (FY03).

This budget was produced under the direction of the Board of Selectmen and represents a complete financial plan of all Town funds and activities that are subject to appropriation, including the budget as requested by the School Committee (Department Account #300-5100 - #300-5800) and provisions for a Reserve Fund (Account #910-7090) administered by the Finance Committee

The line item budget is arranged to show the actual expenditures for the current year and the proposed budget for the ensuing fiscal year. It is summarized by Town agency, function and/or program including any proposed capital expenditures. The Town Manager's detailed budget and all explanatory information is available to the Town Meeting Representatives and the general public for inspection in the Town Manager's Office, the public library and the Town Clerk's Office.

The following budget, when considered by the Town Meeting shall first be subject to amendment, if any, as may be proposed by the Finance Committee; or act in relation thereto. Submitted by the Board of Selectmen, Town Manager and Finance Committee

	EXPENDED FY99	EXPENDED FY2000	EXPENDED FY2001	BUDGET FY2002	DEPT REQ FY2003	TOWN MGR FY2003	FIN COM FY2003
<i>122 – Board of Selectmen</i>							
5110 Personnel	57,342	57,364	58,782	58,399	63,712	63,712	63,712
5190 Contractual Obligations	2,610	2,610	2,610	3,393	3,743	3,743	3,743
5400 Supplies & Expenses	7,600	3,921	7,349	1,700	1,700	1,700	1,700
5200 Contract Services/Leases	7,976	8,951	9,026	8,400	8,400	8,400	8,400
NMCOG Assessment	9,768	9,768	9,769	9,769	10,269	10,269	10,269
5800 Capital Outlay	-	1,849	-	-	-	-	-
TOTAL	85,296	84,463	87,536	81,661	87,824	87,824	87,824
<i>123 – Town Manager</i>							
5110 Personnel	269,540	317,371	234,671	267,344	252,035	252,035	252,035
5120 Permanent Part Time	-	3,264	12,924	13,777	14,743	14,743	14,743
5130 Overtime	-	-	-	3,000	3,000	3,000	3,000
5190 Contractual Obligations	-	6,016	5,220	6,003	6,878	6,878	6,878
5400 Supplies & Expenses	-	281	-	12,800	12,800	12,800	12,800
5200 Contract Services/Leases	1,426	1,500	1,394	1,500	1,500	1,500	1,500
Comm. Plan./Proj./Tech. Asst.	22,000	14,047	33,924	25,000	25,000	25,000	25,000
Pensions	1,975	1,475	475	1,975	1,975	1,975	1,975
Emp. Medical Exams	747	15,198	36,436	30,000	30,000	30,000	30,000
Prof. Training/Development	5,137	3,376	2,957	10,000	10,000	10,000	10,000
Pr. Town Rep./TM Handouts	11,685	7,000	7,288	12,000	12,000	12,000	12,000
Uniforms/Merit Wage	1,323	1,867	2,409	2,000	2,000	2,000	2,000
Assessment Center	-	-	-	20,000	-	-	-
Capital Outlay	-	-	-	-	-	-	-
TOTAL	313,833	371,394	337,698	405,399	371,931	371,931	371,931

	EXPENDED FY99	EXPENDED FY2000	EXPENDED FY2001	BUDGET FY2002	DEPT REQ FY2003	TOWN MGR FY2003	FIN COM FY2003
125 – Systems Admin.							
5110 Personnel	-	-	80,625	83,984	87,629	87,629	87,629
5190 Contractual Obligations	-	-	-	-	700	700	700
5400 Supplies & Expenses	-	-	30,636	57,115	57,115	57,115	57,115
5200 Contract Services/Leases	123,802	201,995	126,816	319,210	393,406	393,406	393,406
5800 Capital Outlay	-	-	15,664	10,596	5,000	5,000	5,000
TOTAL	123,802	201,995	253,741	470,905	543,850	543,850	543,850
135 – Town Accountant							
5110 Personnel	153,281	161,346	143,454	173,972	171,567	171,567	171,567
5190 Contractual Obligations	-	3,112	1,939	2,687	1,050	1,050	1,050
5400 Supplies & Expenses	1,925	2,321	3,193	2,500	2,500	2,500	2,500
5200 Contract Services/Leases	1,592	1,055	1,237	3,500	3,500	3,500	3,500
Town Audit	24,000	37,130	39,000	35,000	32,000	32,000	32,000
5800 Capital Outlay	5,580	-	623	-	-	-	-
TOTAL	186,378	204,964	189,446	217,659	210,617	210,617	210,617
141 – Assessor							
5110 Personnel	216,358	224,594	232,172	242,195	248,110	248,110	248,110
5120 Permanent Part Time	22,345	23,428	23,922	24,426	25,037	25,037	25,037
5190 Contractual Obligations	-	10,261	10,238	11,497	12,201	12,201	12,201
5400 Supplies & Expenses	1,431	1,443	1,416	3,000	3,000	3,000	3,000
5200 Contract Services/Leases	18,126	22,623	19,290	40,000	40,000	40,000	40,000
5800 Capital Outlay	4,391	-	-	-	-	-	-
TOTAL	262,651	282,349	287,038	321,118	328,348	328,348	328,348
145 – Treasurer/Collector							
5110 Personnel	463,529	464,279	500,632	510,985	532,674	532,674	532,674
5120 Permanent Part Time	-	-	18,400	18,860	19,332	19,332	19,332
5130 Overtime	-	-	-	-	2,000	2,000	2,000
5190 Contractual Obligations	-	11,737	9,926	13,013	12,734	12,734	12,734
5400 Supplies & Expenses	17,314	23,082	26,059	1,300	14,398	14,398	14,398
5200 Contract Services/Leases	86,229	88,122	86,914	86,922	86,922	86,922	86,922
Town Health Insurance	1,791,630	1,849,228	2,042,076	2,342,271	2,735,524	2,735,524	2,735,524
Town Medicare	130,236	145,142	163,123	183,855	211,433	211,433	211,433
5235 Tax Revenue Collection	37,326	134,000	54,090	74,000	74,000	74,000	74,000
5800 Capital Outlay	11,739	24,171	-	5,000	-	-	-
TOTAL	2,538,003	2,739,762	2,901,220	3,236,206	3,689,017	3,689,017	3,689,017
161 – Town Clerk							
5110 Personnel	160,239	179,342	182,157	191,041	186,414	186,414	186,414
5190 Contractual Obligations	9,545	2,927	10,440	10,529	7,836	7,836	7,836
5400 Supplies & Expenses	143	330	330	575	675	675	675
5200 Contract Services/Leases	1,946	1,701	1,390	4,155	4,155	4,155	4,155
5800 Capital Outlay	549	-	8,346	-	-	-	-
TOTAL	172,422	184,300	202,663	206,300	199,080	199,080	199,080
192 – Town Hall							
5110 Personnel	30,401	30,922	36,150	37,054	37,940	37,940	37,940
5190 Contractual Obligations	-	450	300	800	800	800	800
5400 Supplies & Expenses	70,298	93,627	94,770	97,248	107,773	107,773	107,773
5400 Custodial Supplies	6,495	3,566	4,925	12,000	6,000	6,000	6,000
5200 Contract Services/Leases	101,224	14,326	94	37,360	37,360	37,360	37,360
Cleaning Services	-	-	-	5,000	5,000	5,000	5,000
5256 Utilities	-	84,454	130,859	127,440	127,440	127,440	127,440
5800 Capital Outlay	-	21,200	-	-	-	-	-
TOTAL	208,418	248,565	267,098	316,902	322,313	322,313	322,313
543 – Veterans Services							
5110 Personnel	87,854	89,137	93,461	95,994	101,433	98,366	98,366
5190 Contractual Obligations	-	5,452	4,510	5,993	6,039	6,039	6,039
5400 Supplies & Expenses	545	1,650	1,750	2,260	2,540	2,540	2,540
5200 Contract Services/Leases	65	1,040	1,060	1,000	1,085	1,085	1,085
5280 Veterans Benefits	201,831	237,905	256,331	270,000	270,000	270,000	270,000
TOTAL	290,295	335,184	357,112	375,247	381,097	378,030	378,030

	EXPENDED FY99	EXPENDED FY2000	EXPENDED FY2001	BUDGET FY2002	DEPT REQ FY2003	TOWN MGR FY2003	FIN COM FY2003
TOTAL GENERAL GOVERNMENT	4,181,098	4,652,976	4,883,553	5,631,397	6,134,076	6,131,010	6,131,010
129 – Cable Advisory Committee							
5120 Permanent Part Time	-	-	-	500	500	500	500
5400 Supplies & Expenses	-	-	-	25	25	25	25
TOTAL	-	-	-	525	525	525	525
131 – Finance Committee							
5120 Permanent Part Time	923	688	297	1,901	1,000	1,000	1,000
5400 Supplies & Expenses	-	28	-	50	50	50	50
5200 Contract Services/Leases	1,720	1,720	-	1,720	1,720	1,720	1,720
Reserve Fund	-	-	-	50,000	50,000	50,000	50,000
TOTAL	2,643	2,436	297	53,671	52,770	52,770	52,770
163 – Board of Registrars							
5110 Personnel	59,548	62,859	62,580	63,391	67,387	65,741	65,741
5120 Permanent Part Time	-	-	1,352	3,342	3,528	3,584	3,584
5130 Overtime	-	-	-	760	760	760	760
5190 Contractual Obligations	-	3,468	3,304	3,743	3,789	3,789	3,789
5400 Supplies & Expenses	3,902	808	2,796	14,403	8,005	8,005	8,005
5200 Contract Services/Leases	2,659	2,496	2,737	3,775	3,625	3,625	3,625
5800 Capital Outlay	-	-	746	-	-	-	-
TOTAL	66,109	69,631	73,515	89,414	87,094	85,504	85,504
162 – Election Department							
5120 Permanent Part Time	29,705	16,739	29,081	12,265	35,343	35,343	35,343
5400 Supplies & Expenses	1,325	416	1,239	800	1,800	1,800	1,800
5200 Contract Services/Leases	11,819	13,889	22,471	16,917	34,316	34,316	34,316
5800 Capital Outlay	-	-	-	17,290	-	-	-
TOTAL	42,849	31,044	52,791	47,272	71,459	71,459	71,459
171 – Conservation Commission							
5110 Personnel	60,791	60,893	92,210	96,266	97,400	97,400	97,400
5120 Permanent Part Time	24,821	26,622	25,141	26,403	28,137	26,902	26,902
5190 Contractual Obligations	-	2,100	3,689	4,587	4,612	4,612	4,612
5400 Supplies & Expenses	-	-	110	101	101	101	101
5200 Contract Services/Leases	590	375	790	1,030	1,030	1,030	1,030
Beaver Dam Control	-	-	15,577	7,500	7,500	7,500	7,500
5800 Capital Outlay	-	8,393	2,537	5,400	5,400	5,400	5,400
TOTAL	86,202	98,383	140,054	141,287	144,180	142,945	142,945
175 – Planning Board							
5110 Personnel	94,587	95,863	98,244	100,939	103,491	103,491	103,491
5120 Permanent Part Time	-	-	-	-	-	-	-
5130 Overtime	2,150	2,389	3,435	2,549	2,587	2,587	2,587
5190 Contractual Obligations	-	3,254	3,414	4,919	4,956	4,956	4,956
5400 Supplies & Expenses	575	227	493	575	575	575	575
5200 Contract Services/Leases	540	554	604	950	950	950	950
5800 Capital Outlay	591	-	-	1,100	800	800	800
TOTAL	98,443	102,286	106,190	111,032	113,359	113,359	113,359
176 – Board of Appeals							
5110 Personnel	38,514	39,321	39,004	40,382	44,212	41,145	41,145
5120 Permanent Part Time	-	-	295	750	750	750	750
5130 Overtime	2,050	2,416	2,488	2,796	3,049	2,838	2,838
5190 Contractual Obligations	-	2,627	3,229	3,393	3,439	3,439	3,439
5400 Supplies & Expenses	92	15	15	200	200	200	200
5200 Contract Services/Leases	70	-	-	100	100	100	100
5800 Capital Outlay	349	-	1,995	-	-	-	-
TOTAL	41,075	44,379	47,026	47,621	51,750	48,472	48,472

	EXPENDED FY99	EXPENDED FY2000	EXPENDED FY2001	BUDGET FY2002	DEPT REQ FY2003	TOWN MGR FY2003	FIN COM FY2003
541 – Council on Aging							
5110 Personnel	129,944	97,906	103,280	109,323	116,267	116,267	116,267
5120 Permanent Part Time	-	41,126	42,138	45,502	46,827	46,827	46,827
5190 Contractual Obligations	-	1,450	1,500	1,500	1,500	1,500	1,500
5400 Supplies & Expenses	1,000	3,800	4,503	4,500	4,500	4,500	4,500
5200 Contract Services/Leases	15,482	11,301	13,182	17,587	17,587	15,000	15,000
5256 Utilities	217	177	199	8,700	8,700	700	700
5800 Capital Outlay	1,378	3,900	-	-	-	-	-
TOTAL	148,021	159,661	164,802	187,112	195,381	184,794	184,794
561 – Commission on Disabilities							
5400 Supplies & Expenses	-	-	-	-	-	-	-
5200 Contract Services/Leases	48	2,800	2,000	2,500	1,000	1,000	1,000
TOTAL	48	2,800	2,000	2,500	1,000	1,000	1,000
563 – Housing Partnership							
5150 Temporary/Seasonal	-	-	-	-	-	-	-
5400 Supplies & Expenses	-	-	-	1,000	1,000	1,000	1,000
TOTAL	-	-	-	1,000	1,000	1,000	1,000
691 – Historical Commission							
5400 Supplies & Expenses	21	48	60	100	100	100	100
5200 Contract Services/Leases	499	480	500	500	500	500	500
TOTAL	520	528	560	600	600	600	600
TOTAL BOARDS & COMMISSIONS	485,910	511,147	587,235	682,034	719,118	702,428	702,428
210 – Police Department							
5110 Personnel	4,059,299	3,192,104	3,262,300	3,607,876	3,696,733	3,696,733	3,696,733
5120 Permanent Part Time	-	-	-	7,030	-	-	-
5130 Overtime	360,294	486,235	505,931	504,000	524,160	524,160	524,160
5190 Contractual Obligations	85,104	969,386	1,079,475	1,118,048	1,101,219	1,101,219	1,101,219
5400 Supplies & Expenses	176,136	211,772	243,295	278,668	296,503	296,503	296,503
5200 Contract Services/Leases	79,913	97,252	80,086	108,660	106,060	106,060	106,060
5800 Capital Outlay	174,164	215,310	185,862	202,206	176,085	162,700	162,700
TOTAL	4,934,910	5,172,059	5,356,949	5,826,489	5,900,761	5,887,376	5,887,376
220 – Fire Department							
5110 Personnel	3,741,845	3,346,388	3,500,946	3,824,740	3,983,855	3,983,855	3,983,855
5120 Permanent Part Time	-	-	-	10,255	10,511	10,511	10,511
5130 Overtime	574,848	574,865	607,749	650,000	675,000	675,000	675,000
5190 Contractual Obligations	-	546,377	652,030	724,290	785,641	785,641	785,641
5400 Supplies & Expenses	131,982	115,444	147,024	147,450	155,950	155,950	155,950
5200 Contract Services/Leases	129,255	266,022	168,450	95,777	99,887	99,887	99,887
5256 Utilities	37,495	51,105	53,205	60,000	60,000	60,000	60,000
5800 Capital Outlay	174,696	99,490	63,992	75,435	70,900	56,900	56,900
TOTAL	4,790,121	4,999,691	5,193,396	5,587,947	5,841,744	5,827,744	5,827,744
231 – Ambulance							
5110 Personnel	361,169	324,316	369,570	384,335	391,479	391,479	391,479
5120 Permanent Part Time	-	3,989	3,598	5,000	5,000	5,000	5,000
5130 Overtime	81,825	69,008	78,707	112,659	113,800	113,800	113,800
5190 Contractual Obligations	-	44,035	47,258	45,118	49,647	49,647	49,647
5400 Supplies & Expenses	27,241	31,177	37,930	41,812	42,367	42,367	42,367
5200 Contract Services/Leases	5,012	4,474	4,431	7,953	9,953	9,953	9,953
5800 Capital Outlay	15,038	-	-	-	-	-	-
TOTAL	490,285	476,999	541,494	596,876	612,246	612,246	612,246
291 – Emergency Management							
5110 Personnel	8,138	8,382	8,574	8,807	9,027	9,027	9,027
5400 Supplies & Expenses	13,544	16,452	16,592	15,500	16,800	15,500	15,500
5800 Capital Outlay	-	7,600	-	5,000	85,178	-	-
TOTAL	21,682	32,434	25,166	29,307	111,005	24,527	24,527

	EXPENDED FY99	EXPENDED FY2000	EXPENDED FY2001	BUDGET FY2002	DEPT REQ FY2003	TOWN MGR FY2003	FIN COM FY2003
292 - Dog Officer							
5110 Personnel	38,635	38,111	38,471	41,021	33,818	33,818	33,818
5120 Permanent Part Time	3,380	12,749	14,935	15,190	15,190	15,190	15,190
5130 Overtime	-	-	335	-	-	-	-
5190 Contractual Obligations	14,447	-	-	-	-	-	-
5400 Supplies & Expenses	1,210	1,328	1,456	1,700	1,700	1,700	1,700
5200 Contract Services/Leases	3,406	1,742	1,932	2,555	2,555	2,555	2,555
5256 Utilities	-	2,399	3,040	3,550	3,550	3,550	3,550
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	61,078	56,329	60,169	64,016	56,813	56,813	56,813
TOTAL PUBLIC SAFETY	10,298,076	10,737,512	11,177,174	12,104,635	12,522,569	12,408,706	12,408,706
241 - Building Department							
5110 Personnel	373,860	368,123	391,597	412,932	425,017	425,017	425,017
5130 Overtime	-	-	-	-	-	-	-
5150 Temporary/Seasonal	4,578	11,794	4,423	5,000	5,000	5,000	5,000
5190 Contractual Obligations	-	10,937	8,386	9,556	11,045	11,045	11,045
5400 Supplies & Expenses	7,159	4,885	7,623	8,986	8,986	8,986	8,986
5200 Contract Services/Leases	19,751	27,702	15,334	28,125	28,125	28,125	28,125
5800 Capital Outlay	10,019	4,872	3,535	12,000	24,000	24,000	24,000
TOTAL	415,367	428,313	430,898	476,599	502,173	502,173	502,173
244 - Sealer Weights and Measures							
5120 Permanent Part Time	4,635	4,763	4,893	5,016	5,016	5,141	5,141
5400 Supplies & Expenses	144	34	-	320	320	320	320
5200 Contract Services/Leases	1,124	-	-	1,170	1,170	1,170	1,170
TOTAL	5,903	4,797	4,893	6,506	6,506	6,631	6,631
TOTAL BUILDING/INSPECTIONS	421,270	433,110	435,791	483,105	508,679	508,804	508,804
510 - Board of Health							
5110 Personnel	205,850	217,467	225,030	240,121	249,687	249,687	249,687
5120 Permanent Part Time	54,615	49,290	52,736	48,223	47,996	47,996	47,996
5130 Overtime	-	-	-	923	974	974	974
5190 Contractual Obligations	1,365	14,164	15,816	15,502	14,628	14,628	14,628
5400 Supplies & Expenses	3,100	3,014	2,932	3,650	3,650	3,650	3,650
5200 Contract Services/Leases	17,154	15,813	14,753	18,856	18,856	18,856	18,856
5800 Capital Outlay	2,900	400	-	-	-	-	-
TOTAL	284,984	300,148	311,267	327,275	335,791	335,791	335,791
TOTAL HEALTH DEPARTMENT	284,984	300,148	311,267	327,275	335,791	335,791	335,791
410 - Engineering							
5110 Personnel	191,769	182,755	306,529	351,053	365,349	365,349	365,349
5130 Overtime	2,828	7,255	9,830	16,000	16,300	16,300	16,300
5190 Contractual Obligations	-	2,550	4,450	5,250	4,950	4,950	4,950
5400 Supplies & Expenses	12,696	6,507	6,970	7,000	10,000	10,000	10,000
5200 Contract Services/Leases	2,127	2,956	2,981	3,000	7,000	7,000	7,000
5800 Capital Outlay	35,727	15,000	11,537	18,500	34,300	34,300	34,300
TOTAL	245,147	217,024	342,297	400,803	437,899	437,899	437,899
421 - Public Works Administration							
5110 Personnel	202,004	306,861	325,826	338,377	373,387	373,387	373,387
5120 Permanent Part Time	-	-	20,273	30,159	-	-	-
5130 Overtime	500	500	600	600	600	600	600
5190 Contractual Obligations	17,064	12,795	17,735	18,180	15,562	15,562	15,562
5400 Supplies & Expenses	2,500	2,500	2,450	2,500	2,500	2,500	2,500
5200 Contract Services/Leases	12,574	12,771	19,426	14,500	14,500	14,500	14,500
5800 Capital Outlay	-	5,909	-	-	-	-	-
TOTAL	234,642	341,336	386,310	404,317	406,549	406,549	406,549

	EXPENDED FY99	EXPENDED FY2000	EXPENDED FY2001	BUDGET FY2002	DEPT REQ FY2003	TOWN MGR FY2003	FIN COM FY2003
422 – Highway Department							
5110 Personnel	685,491	665,434	630,161	858,164	872,795	872,795	872,795
5130 Overtime Regular	60,858	76,405	80,396	58,875	60,000	60,000	60,000
5150 Temporary/Seasonal	33,636	18,870	24,847	34,560	51,480	51,480	51,480
5190 Contractual Obligations	-	14,506	13,860	17,350	14,925	14,925	14,925
5400 Supplies & Expenses	316,846	309,004	338,982	340,400	340,400	340,400	340,400
5200 Contract Services/Leases	108,872	132,977	214,004	190,000	140,000	140,000	140,000
5256 Utilities	8,898	9,140	12,000	12,000	12,000	12,000	12,000
5800 Capital Outlay	121,888	-	-	77,500	36,000	20,000	20,000
TOTAL	1,336,489	1,226,336	1,314,250	1,588,849	1,527,600	1,511,600	1,511,600
Snow and Ice							
5131 Snow Overtime	129,317	90,322	277,695	70,000	70,000	70,000	70,000
5278 Snow and Sand Expenses	419,920	333,781	967,715	350,000	350,000	350,000	350,000
TOTAL	549,237	424,103	1,245,410	420,000	420,000	420,000	420,000
441 – Sewer Department							
5110 Personnel	765,955	716,086	809,658	857,791	883,462	883,462	883,462
5150 Temporary/Seasonal	5,288	6,223	6,796	7,920	7,920	7,920	7,920
5130 Overtime	84,289	90,380	113,100	89,740	91,535	91,535	91,535
5190 Contractual Obligations	37,344	33,721	36,524	36,324	38,910	38,910	38,910
5400 Supplies & Expenses	419,963	403,677	391,821	420,700	420,700	420,700	420,700
5200 Contract Services/Leases	322,437	296,332	310,666	323,000	365,000	365,000	365,000
5256 Utilities	252,905	282,446	299,100	330,000	330,000	330,000	330,000
5800 Capital Outlay	197,049	-	-	15,000	49,000	49,000	49,000
TOTAL	2,085,230	1,828,865	1,967,665	2,080,475	2,186,527	2,186,527	2,186,527
450 – Water Division							
5110 Personnel	907,826	889,943	892,337	983,315	1,001,934	1,001,934	1,001,934
5120 Permanent Part Time	23,344	23,147	23,726	25,809	26,511	26,511	26,511
5130 Overtime	151,959	152,435	150,132	216,000	179,520	179,520	179,520
5132 Flushing Program	39,998	37,912	38,627	73,000	45,900	45,900	45,900
5190 Contractual Obligations	55,053	51,326	30,238	33,835	38,315	38,315	38,315
5400 Supplies & Expenses	401,063	489,800	498,680	485,000	535,000	535,000	535,000
5200 Contract Services/Leases	95,889	112,077	120,648	135,000	160,000	160,000	160,000
5256 Utilities	326,559	326,004	360,360	385,000	385,000	385,000	385,000
5800 Capital Outlay	10,982	24,500	10,000	16,500	25,000	25,000	25,000
TOTAL	2,012,673	2,107,144	2,124,748	2,353,459	2,397,180	2,397,180	2,397,180
491 – Cemetery Parks/Trees							
5110 Personnel	392,261	262,204	317,157	403,610	412,727	412,727	412,727
5120 Permanent Part Time	21,463	56,569	15,232	36,000	37,660	37,660	37,660
5130 Overtime	39,379	46,766	61,722	43,740	58,415	58,415	58,415
5190 Contractual Obligations	12,826	10,453	9,788	9,850	7,950	7,950	7,950
5400 Supplies & Expenses	39,664	29,273	27,687	50,410	50,410	50,410	50,410
Mosquito Control	-	-	20,000	12,000	12,000	12,000	12,000
5200 Contract Services/Leases	18,370	30,479	15,690	17,680	17,680	17,680	17,680
5256 Utilities	4,505	4,548	4,989	6,000	6,000	6,000	6,000
5800 Capital Outlay	30,691	14,274	12,967	10,100	17,700	17,700	17,700
5100 Perpetual Care	(45,000)	(45,000)	(11,169)	(45,000)	(45,000)	(45,000)	(45,000)
TOTAL	514,159	409,566	474,063	544,390	575,542	575,542	575,542
TOTAL PUBLIC WORKS	6,977,577	6,554,374	7,854,743	7,792,293	7,951,297	7,935,297	7,935,297
300 – Billerica Public Schools							
5160 Professional Salaries	36,481,585	29,791,233	31,286,015	33,008,010	34,822,039	34,872,039	34,872,039
5170 Clerical Salaries	-	-	-	-	-	-	-
5180 Other Salaries	-	-	-	-	-	-	-
5400 Supplies & Expenses	-	1,117,093	1,759,928	1,177,030	1,346,955	1,373,483	1,373,483
5200 Contract Services/Leases	-	6,350,732	6,789,738	7,949,273	8,862,727	6,868,610	6,868,610
5256 Utilities	-	813,848	820,743	1,158,813	1,198,536	1,198,536	1,198,536
Building Insurance	56,742	62,131	62,502	92,348	120,000	120,000	120,000
Workers Compensation	227,994	201,511	222,195	303,084	330,000	330,000	330,000
Group Health Insurance	2,089,507	2,354,844	2,424,438	2,865,283	3,295,076	3,295,076	3,295,076
Unemployment Insurance	11,438	3,267	11,767	15,000	25,000	25,000	25,000

	EXPENDED FY99	EXPENDED FY2000	EXPENDED FY2001	BUDGET FY2002	DEPT REQ FY2003	TOWN MGR FY2003	FIN COM FY2003
Medicare	145,012	167,600	189,294	214,000	236,000	236,000	236,000
Debt Principal	562,595	420,500	360,000	200,000	200,000	200,000	200,000
Temporary Borrowing	-	69,176	462,410	722,107	459,200	459,200	459,200
5800 Capital Outlay	-	68,032	79,839	43,728	464,545	59,188	59,188
TOTAL	39,667,204	41,483,005	44,513,324	47,779,576	51,380,878	49,057,932	49,057,932
310 – Shawsheen Technical School							
5300 Operating Costs	3,643,789	4,066,097	-	4,866,360	5,168,094	5,168,094	5,168,094
5800 Capital Outlay	203,414	208,571	-	-	-	-	-
TOTAL	3,847,203	4,274,668	-	4,866,360	5,168,094	5,168,094	5,168,094
TOTAL PUBLIC EDUCATION	43,514,407	45,757,673	44,513,324	52,645,936	56,548,972	54,226,026	54,226,026
610 – Public Library							
5110 Personnel	236,003	252,296	272,634	308,925	327,749	327,749	327,749
5120 Permanent Part Time	200,196	254,896	380,924	396,502	405,367	405,367	405,367
5190 Contractual Obligations	-	14,583	12,981	15,235	13,919	13,919	13,919
5400 Supplies & Expenses	73,826	112,832	128,926	139,069	151,100	151,100	151,100
5200 Contract Services/Leases	29,900	28,293	38,043	40,405	44,105	44,105	44,105
Cleaning Service	10,010	13,392	16,200	17,000	17,000	17,000	17,000
5256 Utilities	18,192	52,423	60,048	74,300	81,400	81,400	81,400
5800 Capital Outlay	5,844	111,999	-	-	4,500	4,500	4,500
TOTAL	573,971	840,714	909,756	991,436	1,045,140	1,045,140	1,045,140
TOTAL PUBLIC LIBRARY	573,971	840,714	909,756	991,436	1,045,140	1,045,140	1,045,140
630 – Recreation Department							
5110 Personnel	96,619	102,217	106,802	138,721	152,202	152,202	152,202
5120 Permanent Part Time	58,356	54,666	63,221	68,000	71,000	68,000	68,000
5190 Contractual Obligations	-	1,150	3,250	3,750	4,100	4,100	4,100
5400 Supplies & Expenses	17,151	19,981	24,845	18,600	17,600	16,100	16,100
Warrant Articles	-	-	-	-	-	-	-
5200 Contract Services/Leases	31,464	31,468	29,699	44,500	48,500	48,500	48,500
5256 Utilities	6,731	6,490	7,013	7,000	7,000	7,000	7,000
5800 Capital Outlay	74,667	-	18,384	70,600	99,600	36,600	36,600
TOTAL	284,989	215,972	253,214	351,171	400,002	332,502	332,502
TOTAL RECREATION DEPT.	284,989	215,972	253,214	351,171	400,002	332,502	332,502
710 – Debt and Interest							
7150 Town Debt – Principal	2,264,242	2,363,020	2,785,821	2,713,738	3,889,237	3,889,237	3,889,237
7550 Town Debt – Interest	1,045,424	1,238,986	1,692,116	1,549,040	1,683,893	1,683,893	1,683,893
7580 New Debt Int. – Town	296,235	307,616	-	384,230	206,744	206,744	206,744
7130 Temporary Borrowing	74,646	65,318	13,812	100,000	100,000	100,000	100,000
7170 Exempt 2.5 Principal	90,000	90,000	90,000	50,000	-	-	-
7180 New Debt – Town Principal	370,000	-	-	-	-	-	-
7570 Exempt 2.5 Interest	17,875	12,025	6,175	1,625	-	-	-
TOTAL	4,158,422	4,076,965	4,587,924	4,798,633	5,879,874	5,879,874	5,879,874
TOTAL DEBT AND INTEREST	4,158,422	4,076,965	4,587,924	4,798,633	5,879,874	5,879,874	5,879,874
Civic Events/Organizations							
VFW-P, DAV, VFW-S	-	600	600	800	800	800	800
Memorial Day/Homecoming	10,115	10,390	11,997	11,000	17,000	17,000	17,000
Family First Night	-	-	-	-	10,000	10,000	10,000
Middlesex Canal	3,252	1,895	3,000	5,000	5,000	5,000	5,000
Beautification	-	1,407	5,630	5,900	5,000	5,000	5,000
Scholarship Account	5,148	5,085	5,671	6,100	6,000	6,000	6,000
TOTAL	18,515	19,377	26,898	28,800	43,800	43,800	43,800
TOTAL CIVIC EVENTS/ORGAN.	18,515	19,377	26,898	28,800	43,800	43,800	43,800

	EXPENDED FY99	EXPENDED FY2000	EXPENDED FY2001	BUDGET FY2002	DEPT REQ FY2003	TOWN MGR FY2003	FIN COM FY2003
Town Systemwide							
Solid Waste	1,814,011	1,967,537	2,636,117	2,806,175	2,857,712	2,857,712	2,857,712
Town Building Insurance	168,515	176,493	215,380	307,625	399,768	399,768	399,768
Town Workers' Compensation	92,085	103,627	125,604	150,000	184,995	184,995	184,995
Town Unemployment Comp.	1,084	15,461	369	16,000	5,000	5,000	5,000
Town Telephone System	71,987	93,604	94,599	100,000	100,000	100,000	100,000
Town General Office Supplies	37,654	39,904	42,894	50,000	50,000	50,000	50,000
Town Building Maintenance	76,391	116,637	55,684	100,000	100,000	100,000	100,000
Abandoned Buildings	24,550	3,809	18,998	25,000	20,000	20,000	20,000
Town Retirements	57,390	23,817	110,977	289,481	50,000	50,000	50,000
Streetlights	175,266	182,334	206,529	218,300	218,300	218,300	218,300
Legal	168,274	126,633	160,000	160,000	160,000	160,000	160,000
TOTAL	2,687,207	2,849,856	3,667,151	4,222,581	4,145,775	4,145,775	4,145,775
TOTAL TOWN SYSTEMWIDE	2,687,207	2,849,856	3,667,151	4,222,581	4,145,775	4,145,775	4,145,775
SUMMARY							
General Government	4,181,098	4,652,976	4,883,553	5,631,397	6,134,076	6,131,010	6,131,010
Boards & Commissions	485,910	511,147	587,235	682,034	719,118	702,428	702,428
Public Safety	10,298,076	10,737,512	11,177,174	12,104,635	12,522,569	12,408,706	12,408,706
Building/Inspection	421,270	433,110	435,791	483,105	508,679	508,804	508,804
Health Department	284,984	300,148	311,267	327,275	335,791	335,791	335,791
Public Works	6,977,577	6,554,374	7,854,743	7,792,293	7,951,297	7,935,297	7,935,297
Public Education	43,514,407	45,757,673	44,513,324	52,645,936	56,548,972	54,226,026	54,226,026
Public Library	573,971	840,714	909,756	991,436	1,045,140	1,045,140	1,045,140
Recreation	284,989	215,972	253,214	351,171	400,002	332,502	332,502
Debt & Interest	4,158,422	4,076,965	4,587,924	4,798,633	5,879,874	5,879,874	5,879,874
Civic Events/Organizations	18,515	19,377	26,898	28,800	43,800	43,800	43,800
Town Systemwide	2,687,207	2,849,856	3,667,151	4,222,581	4,145,775	4,145,775	4,145,775
TOTAL	73,886,426	76,949,825	79,208,029	90,059,296	96,235,093	93,695,152	93,695,152

ARTICLE 5

To see if the Town will vote to allow the Town Manager, upon the request of a department head, board or commission, to make a transfer of funds between budget line items not to exceed a difference of \$3,000 from the amount voted at Town Meeting per line item for the fiscal year 2003, with the exclusion of the travel accounts within the same department; transfers within department line items in excess of \$3,000 for fiscal year 2003 must be approved by the Finance Committee; a written report from the Town Manager on all transfers of \$3,000 and under must be provided to the Finance Committee on the first Tuesday of each month; or act in relation thereto. Submitted by the Billerica Finance Committee.

ARTICLE 6

To see if the Town will vote to authorize the use all remaining funds from Article 7, Fall 2001 Town Meeting to purchase a 5 ton dump truck, equipped with sander and plow for the DPW Highway Division; or act in relation thereto. Submitted by the Town Manager authorized by the Board of Selectmen.

ARTICLE 7

To see if the Town will vote to authorize the transfer of \$500,985, from the Town's Stabilization Fund (81524-4000) to fund the following; or act in relation thereto.

Police Department Radio System

\$155,577

Emergency Mgmt.Town Radio System	50,408
Fire Department Radio System	165,000
DPW Highway, Sander & Plow Dump Truck	30,000
Assessors FY 2003 Mandated Revaluation	<u>100,000</u>
Grand total to be transferred from Stabilization Fund	\$500,985

Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 8

To see if the Town will vote to raise and appropriate \$162,000, to fund the following various items:

Assessors FY 2003 State Mandated Revaluation	\$100,000
DPW Cemetery, Trees & Parks Landscape Equip.	30,000
Kohlrausch Park, Install Irrigation System	<u>32,000</u>
	\$162,000

or at in relation thereto. Submitted by the Town Manager authorized by the Board of Selectmen.

ARTICLE 9

To see if the Town will vote to borrow the sum of \$7,080,000, and to further authorize the Treasurer with the approval of the Board of Selectmen to borrow under M.G.L. Chapter 44 for various General Fund purposes:

<u>DEPARTMENT PROJECTS</u>	<u>AMOUNT</u>
DPW – Roadway Management	\$ 950,000
DPW – Drainage Improvements	350,000
DPW – Sidewalk Rehab & Construction	280,000
DPW – Sewer Construction	5,500,000;

or act in relation thereto. Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 10

To see if the Town will vote to transfer from the Sewer Rate Relief Fund the sum of \$471,225, for the purpose of design and construction of sewer projects; or act in relation thereto. Submitted by the Town Manager authorized by the Board of Selectmen.

ARTICLE 11

To see if the Town will vote to authorize the transfer of \$100,000 from the Sewer Inflow/Infiltration Fund to fund the following; or act in relation thereto.

Public Works (SWR) -

Design and rehabilitation of Shawsheen River Study Area, \$100,000

Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 12

To see if the Town will vote to authorize the transfer of \$405,000 from the Sewer Expansion Fund to fund the following; or act in relation thereto.

Public Works (SWR)

Pilot Study and Construction of facilities for phosphorous removal, \$325,000.00

Design and evaluate improvements for the Richardson Street Pump Station, \$80,000.00

Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 13

To see if the Town will vote pursuant to the authority under M.G.L. Chapter 44, Section 53E ½, to continue a Revolving Fund for the purpose of receiving fees and making disbursements in connection with the authorized duties of the Board of Selectmen.

Telecommunications Revolving Fund

All revenues received by the Board of Selectmen from fees charged for the lease of space on water storage tanks owned by the Town for the purpose of placing telecommunication and testing equipment shall be deposited in this fund. No more than \$30,000, shall be expended without further appropriation for the repair, maintenance and upgrading the water storage and distribution system; or act in relation thereto.

	<u>Balance Forward</u>	<u>Receipts</u>	<u>Expenses</u>	<u>Balance</u>
FY 2001	\$ 83,190	\$35,727	0	\$118,917
FY 2002 (12/31)	\$118,917	\$16,873	0	\$135,790

Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 14

To see if the Town will vote pursuant to authority under M.G.L., Chapter 44, Section 53E1/2 to continue a Revolving Fund for the purpose of receiving all revenues from Medicaid and all revenues received from health insurance companies for special needs children and the BEAM Program, and making disbursements in connection with the authorized duties of the School Department. The School Superintendent or his designee is authorized to expend from this fund, but no more than \$550,000 shall be expended without further appropriation for special needs education and BEAM; or act in relation thereto.

	<u>Balance Forward</u>	<u>Receipts</u>	<u>Expenses</u>	<u>Balance</u>
FY 2001	\$410,370	\$369,918	\$385,968	\$394,320
FY 2002	\$394,320	\$180,704	\$213,070	\$361,954

Submitted by the Billerica School Committee

ARTICLE 15

To see if the Town will vote to transfer from FY 02 Budget-School Debt the sum of \$41,476, to the Town Stabilization Account for the funding of the New Ditson School; or act in relation thereto. Submitted by the Billerica School Committee

ARTICLE 16

To see if the Town will authorize the Board of Selectmen to accept deeds in which all persons who have an interest in title join as grantors, in lieu of foreclosure to any parcel of land within the Town, subject to and in compliance with the provisions of G.L. c60, § 77C; or act in relation thereto. Submitted by the Town Manager authorized by the Board of Selectmen.

ARTICLE 17

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow the sum of \$1,000,000, to fund renovations for a new Senior Center; or act in relation thereto. Submitted by the Council on Aging

ARTICLE 18

To see if the Town will vote to continue the Commercial Wireless Communication Facilities Review Committee, created by Article 49 of the 1999 Annual Spring Town Meeting, as a permanent committee renamed The Communications Committee and to further vote to amend Article 2 of the General By-Laws by adding a new section 41 to read as follows:

41. Communications Committee

41.1 It shall be the duty of the Communications Committee to study, create and recommend a comprehensive telecommunications right-of-way management by-law for both underground and aerial locations. Such recommendations shall be made to the 2004 Annual Spring Town Meeting.

41.2 It shall further be the duty of the Communications Committee, once said by-law is in place, to review the rights-of-way by-laws making recommendations for updates, insure the maintenance of public safety, insure that the rights-of-way are used in an orderly manner and insure the equitable treatment of all users. The committee shall study management issues such as performance bonds, dedication of conduits for municipal and future use, possible compensation for the use of the right-of-ways, co-location and surplus capacity set-aside agreements.

41.3 The committee shall consist of nine (9) members appointed by the Board of Selectmen for three year terms, so arranged that as nearly an equal number of such terms;

or act in relation thereto. Submitted by the Billerica Board of Selectmen

ARTICLE 19

To see if the Town will vote to accept the following streets as public ways in accordance with the layouts adopted by the Board of Selectmen and on file with the Town Clerk and to authorize the Board of Selectmen to accept gifts of easements for said public ways and associated easements for drainage or other purposes, and further to allocate sufficient funds for the widening, reconstruction, repairing, and or paving of said streets; or act in relation thereto:

STREETS		<u>Approximate Length</u>
Baker St	Bolton St to 240 ft W. of Mallard St	464
Broadway St	Blackstone St to Dead End	200
Fourth Ave	Newbury St to Kingston St	710
Fuller Rd	Cottage St to Columbia Rd	250
Glendale St	McDonough Way to Dead End	168
Jefferson St	Fourth Ave to Dead End	560
Newbury St	Fourth Ave to Dead End	610
Perreault Ave	215ft W. of Middlesex Tpk to Dead End	400
Plenty St	Friendship Northerly to Dead End	260
Plenty St	Stewart St. to Northerly to Dead End	100
Plenty St	Friendship Street Southerly to Dead End	200
South St.	Rhodes St Westerly to Dead End	890
Swan Lane	250 ft S. of Friendship St to Apollo Ave	417
Third Ave	Vincent St to Dead End	112
Tremont Rd.	Marshall St to Dead End	355
Wedgemere St.	McDonough Way to Dead End	270
Woodcliff Dr.	Fourth Ave to Dead End	422
Naushon Rd	Albion Rd to Dead End	270
Olney St	Connolly Rd to End of Layout	1250
Woodland Rd	Shawsheen Rd to Riverside Rd	380

Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 20

To see if the Town will vote to authorize the Board of Selectmen to grant an easement to the Commonwealth of Massachusetts on certain parcels of land along Treble Cove Road in connection with the Route 3 reconstruction project; or act in relation thereto. Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 21

To see if the Town will vote to amend Article VIII *Public Utilities* Section 1. *Water* - of the General By-laws by deleting subsection 1.6 in its entirety. Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 22

To see if the Town will vote to amend Article VIII *Public Utilities* Section 1. *Water* of the General By-Laws by adding the following new Subsection 4.

4. Fines

- 4.1 The Board of Selectmen shall have the authority to establish fines for violations of the DPW Water Division Rules and Regulations.
- 4.2 Fines established by the Board of Selectmen shall not exceed one hundred dollars per violation per day.

Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 23

To see if the Town will vote to amend Article VIII Section 2 Sewers by adding Subsection 2.3.

Add Subsection 2.3: Illegal Connections

Any person or entity discovered to have illegally connected to Town Sewer shall be required to comply with the following requirements:

- A. Apply for, with remittance, the appropriate Town of Billerica Sewer Connection Permit.
- B. Pay a three hundred dollar (\$300.00) fine to the Town of Billerica within thirty (30) days of discovery. This by-law may also be enforced by the non-criminal procedure allowed by Mass. Gen. Laws c.40, §21D.
- C. Reimburse the Town of Billerica for all unpaid sewer use. The sewer use charge shall be calculated by the Water Billing Department and will commence with the date sixty (60) days after Town Sewer was first made reasonably available to the illegally connected building(s) using the most current sewer rates.
- D. The Town of Billerica will extend an amnesty period to those persons or entities currently connected without permits. This amnesty period shall commence July 1, 2002 and shall be in effect for one calendar year. Any person or entity coming forward during this amnesty period will be subject to the following requirements:
 - 1. Apply for, with remittance, the appropriate Town of Billerica Sewer Connection permit, and reimburse the Town of Billerica for the previous calendar year's unpaid sewer use be based upon the previous years water use charges and most current sewer rates.
 - 2. In the event of unusual circumstances, the Board of Selectmen may waive, on a case-by-case basis, the requirements (B) and (C) as listed above; or act in relation thereto.

Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 24

To see if the Billerica Town Meeting will vote to amend the Town of Billerica's General By-laws by approving the Billerica Electrical By-law;

BILLERICA ELECTRICAL BY-LAW

Secs. 74-145—74-180 Reserved

ARTICLE 1 POLES AND WIRES*

DIVISION 1. GENERALLY

Secs. 74-181—74-200 Reserved

DIVISION 2. ADMINISTRATION

Sec 74-201 Inspector of Wires-Appointment

There shall be an inspector of wires. He shall be appointed by the Town Manager. (Rev. Ords. 1974, ch 7, § 1)

Sec. 74-202. Same—Powers and authority of assistant

In the absence or disability of the Inspector of wires, the assistant, if any, shall, during such absence or disability, have the power and authority of such inspector of wires and shall perform the duties of his office. (Rev. Ords. 1974, ch 7, § 2)

Sec. 74-203. Same—Duties

The inspector of wires shall have the powers and perform the duties provided by law for an inspector of wires. He shall have supervision of all electric and other wires erected in, upon, over or under any street or building, of all poles supporting wires or lamps and streetlights, in any building now or hereafter erected in the town, and also, by his office, be the inspector of wires of fire alarm, telegraph, traffic and police systems, and all other electric wire systems now or hereafter owned by the town. (Rev. Ords. 1974, ch 7 § 3)

Sec. 74-204. Information from wire operator to beSupplied.

Any person operating electric or other wires within the town shall, upon request of the inspector of wires, furnish him with such information as may be necessary to the faithful and effectual discharge of his duties under this article. (Rev. Ords. 1974, ch 7, § 4)

Sec. 74-205. Inspection

- (a) The inspector of wires shall have access at all reasonable times to all wires, appliances and apparatus in the interior of a public building or on private premises which are intended for carrying an electric light, heat or power current. No person shall arrange, affix or change any such wires, fittings or apparatus without giving the

superintendent of wires reasonable opportunity to inspect the same before they are covered or enclosed. No person shall place wires intended to carry an electric current in any building in process of construction until all gas, steam, sewer, water and furnace pipes have been placed in proper position. No person shall connect such wires in the interior of buildings or on private premises with an outside circuit which crosses or runs along, over or under any street or way of the Town without written permission therefore have first obtained from the inspector of wires.

- (b) When any electrical equipment is found by the inspector of wires to be dangerous to persons or property because it is defective or defectively installed, the person responsible for the electrical equipment shall be notified in writing and shall make any changes or repairs required in the judgment of the inspector or wires to place such equipment in safe condition. If such work is not completed within the time specified by the inspector or wires in such notices, the inspector of wires shall have the authority to disconnect or order the discontinuance of electric service to such electrical equipment.

(Rev. Ords. 1974, ch 7, § 5)

Sec. 74-206—74-220. Reserved

DIVISION 3. ABOVEGROUND INSTALLATION

Sec. 74-221. Attachment of wires or lines

No person shall attach any wire or line for the transmission of electricity for any purpose except the lines and wires of the Town to any post, except such as are provided for such purpose or such as are on his own premises, or upon other lands with the consent of the owner thereof, not insert the same into any underground conduit, except with the consent of the owner and in accordance with such license as may be issued by order of the town.

(Rev. Ords. 1974, ch. 7, § 6)

Secs. 74-222. Standards for the installation of equipment

- (a) All installations of electrical equipment, unless otherwise provided, shall be in conformity with the provisions of this article, with the general laws, and any orders, rules and regulations issued by authority thereof and with approved electrical standards for safety to persons and property. The state electrical code, promulgated by the department of public safety, board of fire regulations shall govern all installations covered by such regulations and shall be prima facie evidence of conformity with approved standards for safety to persons and property.
- (b) Rules shall be established by the inspector or wires regulating the time of notification for inspection of work completed, the requirements or conditions for turning on the electric current and such other matters as he may deem advisable.

(Rev. Ords. 1974, ch 7, § 7)

Secs. 74-223. Petitions.

- (a) Poles for the support of wires shall not be erected in the public ways or squares of the town without a petition therefore being first presented to the city council, which petition shall be accompanied by a plan showing thereon the specific location of each pole, and receiving written permission to do so from the Board of Selectmen.
 - (b) All persons filing petitions for permission to erect poles in the public ways of the town shall state therein a description of the location requested and shall be accompanied by proper plans drawn on a scale of 40 feet to an inch, on which shall be defined such locations, together with the division lines between the estates abutting on such way and the outline of all buildings located adjacent thereto. Such plans shall also show all poles which may be standing on the way, defining the ownership thereof and all shade trees and hydrants if there are any. Such plan shall show a section of the way, in the manner defined, of sufficient length to give general information in regard to the conditions in interest. All petitions shall have the approval of the inspector or wires before being granted by the Board of Selectmen.
- (Rev. Ords. 1974, ch 7, § 8, ch. 23, § 33)

Sec. 74-224. Poles—Location

Poles shall be set in the sidewalk not less than 10 inches from the outside of the curb, and not within four feet of any hydrant.

(Rev. Ords. 1974, ch. 7, § 9)

Sec. 74-225. Same—Arrangement

- (a) Where possible, all poles shall be uniformly spaced and of uniform height. No pole less than 35 feet long shall be set in the street of the town except poles for guy poles and ornamental poles. Poles shall be stepped, if necessary, commencing eight feet from the sidewalk. Such steps shall be parallel with the edgestone of the street. Each line of poles shall be run on one side of the street only, except when it is absolutely necessary to change to the other.
 - (b) Extensions shall not be made on any pole without the approval of the inspector of wires, and space for a cross arm gain, approximately 24 feet above the ground level on every pole set in the streets, and carrying wires shall be reserved for the wires owned by the town. Space for wires to be attached from feeder circuits to equipment mounted on poles shall be reserved for the town.
- (Rev. Ords. 1974, ch 7 § 10)

Sec. 74-226. Same—Treating and marking

All pole now standing or hereafter erected shall be suitably treated and kept in good condition to the satisfaction of the inspector of wires. They shall be stenciled, marked or branded with the owner's name or initials and license number, if any, at a point not less than five, not more than ten feet from the ground.

(Rev. Ords. 1974, ch 7 § 11)

Sec. 74-227. Same—Defacing

No staple, nail or other device shall be driven in or fastened to any pole without first obtaining the permission of the companies owning the poles. No person shall deface any pole by the use of lineman's spurs, cutting with a knife, axe or any implement within ten feet of the ground. (Rev. Ords. 1974, ch 7, § 12)

Sec. 74-228. Abandonment of poles, wires and fixtures.

Poles shall be set in the sidewalk not less than ten inches from the outside of the curb, and not within four feet of any hydrant. (Rev. Ords. 1974, ch. 7 § 9)

Sec. 74-225. Same—Arrangement.

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Sec. 74-228. Abandonment of poles, wires and fixtures.

- (a) When poles and fixtures have been abandoned by the owners, they shall remove them as soon as they discontinue their use unless it is positively known that they will again use them within 60 days. Wires on such poles or fixtures owned by others shall be

removed unless the owners of such wires assume the ownership of such poles and fixtures, the ownership to be transferred to them by the original owners, by the authority of the Board of Selectmen.

- (b) New poles shall not be brought on any street more than two days in advance of the time they are to be set, and when old poles are taken down, they shall be removed from the street the same day. (Rev. Ords. 1974, ch 7, § 13).

Sec. 74-229. Installation of electric supply and communications lines.

The National Safety Code promulgated by the United States Department of Commerce, National Bureau of Standards, for the installation of electric supply and communication lines, handbook No. 81, shall govern all installations covered by such regulations, and shall be prima facie evidence of conformity with approval standards for safety to persons and property. Guy wires shall not be attached to trees on public ways and pole brackets shall not be used on trees for the support of wires without permission from the Board of Selectmen.

(Rev. Ords. 1974, ch 7 § 14)

Sec. 74-230. Inspector of wires to be judge as to proper construction and insulation.

The Inspector of wires, shall be the sole judge of what constitutes safe and proper construction and insulation of all wires, cables and conductors, fixtures and appliances, and shall make such rules and regulations as he may deem necessary to

- (a) Make such conductors and appliances as safe as possible.
- (b) Whenever, in the opinion of the Inspector of wires, any overhead wires, cables or conductors, poles or fixtures used for the transmission and distribution of electric current, cable television or telephone are in a dangerous or unsafe condition, he shall notify the owners. If the existing defects are not remedied in a reasonable time, such defective wires, cables or conductors shall then be treated as being dead and unused, and shall be removed by the inspector of wires at the expense of the owner.

(Rev. Ords. 1974, ch 7, § 15)

Sec. 74-231. Transformers

Transformers shall not be placed on any fixtures on a roof, or any wall rising above a roof. Transformers shall not be attached to the outside wall of buildings so that they can be reached by persons from windows, doors, fire escapes, stairways or the ground. The primary wires shall drop to the transformer at right angles to the mains or branches, and be suitably insulated. Transformers mounted on cement mats shall be suitably protected against mechanical injury, when necessary. (Rev. Ords. 1974, ch 7, § 16)

Secs. 74-232—74-250. Reserved.

DIVISION 4. UNDERGROUND INSTALLATION

Sec. 74-251. Authorization for underground conduits, cables and wires.

The Board of Selectmen may authorize any telephone, telegraph, cable television, electric light or electric power company to construct and maintain underground conduits, cables and wires, for the conduct of the business of such company, in such streets of the town as the town may deem advisable to construct therein and maintain the necessary manholes and house connections; and to erect and maintain distributing poles at the termini of such conduits, and at suitable distributing points, subject to the regulations of this division. (Rev. Ords. 1974, ch. 7 § 17).

Secs. 74-232—74-250. Reserved

DIVISION 4. UNDERGROUND INSTALLATION*

Sec. 74-251. Authorization for underground conduits, cables and wires.

The Board of Selectmen may authorize any telephone, telegraph, cable television, electric light or electric power company to construct and maintain underground conduits, cables and wires, for the conduct of the business of such company, in such streets of the Town as the Board of Selectmen may deem advisable, to construct therein and maintain the necessary manholes and house connections; and to erect and maintain distributing poles at the termini of such conduits, and at suitable distributing points, subject to the regulations of this division. (Rev. Ords. 1974, ch 7 § 17)

Sec. 74-252. Plan of Location

- (a) A plan showing the proposed location of any proposed conduit or relocation of one already constructed shall be filed with each petition for permission to construct or relocate a conduit in any street or way. Such plan shall be submitted to the inspector of wires and his approval of the plan, in writing, shall be necessary before any order granting such petition shall be passed by the Board of Selectmen. Such plans shall be made on mounted paper, substantial tracing cloth, cloth back blue or other print paper, in a suitable size and to a reasonable scale.
- (b) Upon request of the chief engineer or his delegate a detail of the construction proposed to be used, the approximate grade or depth below the surface of the street in either side of the proposed conduit, so far as the same can be determined from records in the possession of the company making the application, or of the town, will be provided.
- © It shall also show the location of all poles owned or controlled by the company between the termini of the proposed conduit, on either side of the street, and shall designate which of such poles the company is to remove if the proposed location is granted. The construction shall be according to the plan filed. Any modification to plan must be approved by the inspector of wires and notify Board of Selectmen.

Sec. 74-253. Removal of wires, cable or conductors to conduits.

Every company shall remove from the streets in which it shall construct any conduit, between the termini thereof, or place under the ground in such conduits, all wires, cables or conductors, except as hereinafter excepted in section 74-254, owned or controlled by the company, and shall remove all pole or other structures, except as hereinafter excepted in section 74-254, owned or controlled by the company, on either side of the street between the termini of such conduit. Such removal shall be written 90 days after such conduit is completed, unless further time is granted by the Board of Selectmen. A company owning, maintaining or using conduits in any streets shall not place any poles or other structures, except as excepted in section 74-254, in such streets between the termini of such conduits, except temporarily and in any emergency, and only then after first obtaining written consent of the inspection of wires and of the director of public works. (Rev. Ords 1974, ch 7 § 19)

Sec. 74-254. Exception of poles for lamps; distributing wires.

Section 74-253 shall not apply to poles used exclusively for the support of lamps or for local distribution from underground wires, cables and conductors, or for both. Poles which are used for local distribution from underground wires, cable and conductors shall, for the purpose of this section, mean poles set at or near the curblineline of any street in which underground wires are placed, and used exclusively for the support of wires connecting with building on such street. Nor shall section 74-253 apply to distributing wires, meaning thereby, wires connecting as underground wire, cable or conductor on any street with a streetlight or building on that street. Wires designed to connect underground wires, cables or conductors with streetlights or buildings on streets, other than the one in which the conduit is located, shall not run along or above the street in which a conduit is located, nor shall any supporting poles or other structures for such wires be erected or maintained on any street in which a conduit is hereafter constructed, between the termini thereof, but all such wires shall be carried under the ground to some convenient pole on such other street, or on private land. (Rev. Ords. 1974, ch 7, § 20)

Sec. 74-255. Reservation of duct for Town

In every underground conduit constructed by a telephone or telegraph company, one duct not less than three inches in diameter shall be reserved and maintained free of expense to the town for the use of fire, police and telegraph signal and telephone wires, belonging to the Town and used exclusively for municipal purposes. The inspector of wires, of any person duly authorized by him, shall be allowed access to such conduits at all times. The town shall be allowed facilities and privileges in putting in or taking out wire equal in all respects to those of the company. (Rev. Ords. 1974, ch 7 § 21).

Sec. 74-256. Approval of conduits and distributing poles.

All conduits shall be of suitable size, kind and construction and the work shall be done in a thorough manner and to the approval of the inspector of wires. Distributing poles shall

be of such height and other dimensions, and of such form and material and so located, as to be satisfactory to the Board of Selectmen and shall be subject to their approval or the approval of any board or town official whom the Board of Selectmen may select. All conduits shall be constructed under sidewalks, if deemed advisable by the Town engineer. (Rev. Ords. 1974, ch 7 § 22)

Sec. 74-257. Noninterference with other conduits

Any company in laying, repairing or removing wires or conduits shall not disturb or in any way interfere with the conduits or wires of any other person or corporation, or any gas or water pipes, or sewers, or pipes therewith connected, or any other pipe, without permission of the owners of such company. (Rev. Ords. 1974, ch 7 § 23)

Sec. 74-258. Change in location of conduits.

In case the town finds it necessary to construct or enlarge sewers or other public works, in streets where conduits are laid, which shall require changing the locations of such conduits, such changing when required by the Board of Selectmen, shall be at the expense of the company owning the conduits, who shall forthwith carry out such changes. The Board of Selectmen, before ordering a change, shall give the company notice and an opportunity to be heard. (Rev. Ords. 1974, ch 7 § 24)

Sec 74-259. Restoring street or sidewalk after opening.

- (a) When an opening is made in a street or sidewalk for any of the purposes described in this division, the portion of the street or sidewalk so opened shall be restored to its former condition, satisfactory to the director of public works, and shall be maintained in such condition for a period of one year thereafter, and, if not so restored and maintained by the company performing the work, the director of public works shall cause the work to be done at the expense of such company.
- (b) Where there is any reserved duct line over 500 feet between manholes, the inspector of wires shall have the right to designate where there shall be inserted, two 90 degree elbows (in and out) of the duct lines. Under sidewalks the sweep elbows shall face up and extend to within one foot of the sidewalk grade and be capped. Under streets the sweep elbows shall face at right angles to the main duct and extend one foot from the main duct and be capped.
- (c) Streets having parallel duct lines, where the utility company runs a duct line from the new duct lines into an existing manhole, shall run the reserved duct for city use in and out of the manhole also. (Rev. Ords. 1974, ch. 7, § 25)

Sec. 74-260. Commencement of work

Any company shall commence the work contemplated by an authority granted to it, within six months from the granting of the authority, unless restrained by process of law, and shall continue such work with reasonable diligence until suitable conduits have been

laid in the location designed in its application for authority and duly granted by the Board of Selectmen. (Rev. Ords. 1974, ch. 7 § 26)

Sec. 74-261. Removal of conduits

Any company shall not remove its conduits unless permitted to do so by the Board of Selectmen. (Rev. Ords. 1974, ch 7 § 27)

Sec. 74-262. Relocation.

Any company, after notice and an opportunity to be heard, shall remove its conduits to other locations, whenever ordered to do so by the Board of Selectmen. (Rev. Ords. 1974, ch. 7 § 28)

Sec. 74-263. Revocation of Authority

All authority granted by the Board of Selectmen after notice and hearing, be revoked or altered at any time, without liability on the part of the town therefore: but, in case any location in any street shall be revoked, a substitute location in the same or some other street that will in the opinion of the Board of Selectmen, accommodate the service, shall be granted. (Rev. Ords. 1974, ch 7 § 29)

Sec. 74-264. Scope of division; notice; agreement of company.

All companies having locations for underground conduits shall be subject to the regulations of this division, and to such other regulations as the board may from time to time adopt. Notice of the grant of a location, accompanied by a copy of this division, and any amendments thereto, shall be given by the Town Clerk to the company. Unless the company within 30 days from the receipt of such notice files with the town clerk an agreement executed by the authorized officers of the company, and under seal of the company, in a form satisfactory to the town, binding such company to comply with this division, and any amendments thereto, and any other reasonable regulations which the Board of Selectmen may thereafter adopt, then such grant shall become null and void. (Rev. Ords. 1974 ch 7 § 30)

Sec. 74-265 Bond.

Before a street or sidewalk is disturbed for laying of wires or conduit in respect of which a located has been granted, the company shall execute a bond with sureties to be approved by the town manager in writing for the penal sum of not less than \$10,000.00, conditioned to fulfill all its agreements with the town and to indemnify and save harmless the town against all damages, cost or expense whatsoever to which the town may be subjected in consequence of the acts and neglect of the company, its agents, servants or employees, or in any manner arising from the right and privileges granted to it by the Board of selectmen. If, however, in the opinion of the town manager the town is sufficiently protected by bonds previously given, the company may be relieved from

furnishing sureties on any bond given in pursuance of this section. The manager may, however, at any time, require a further or strengthening bond with sureties for such amount as he may deem the interests of the town require.

Sec. 74-266. Effect of general laws.

The provisions set forth in this division shall control except as otherwise provided in general laws, and acts in amendment thereof and in addition thereto, and rules, orders and regulations, if any, made under such general laws. (Rev. Ords. 1974, ch 7 § 32); or act in relation thereto. Submitted by Michael S. Rosa, Petitioner and Messrs. Iovanna, Rexford, Johnson, Pinto, and Madames Moore, Rexford, Johnson, Kearns, and LeGallo.

ARTICLE 25

To see if the Town will vote to accept Francis Road as a public way in accordance with the layout adopted by the Selectmen and on file with the Town Clerk and to authorize the Board of Selectmen to accept gifts of easements for said public way and any associated easements for drainage or other purposes; or act in relation thereto. Submitted by the Planning Board

ARTICLE 26

To see if the Town will vote to accept Frankay Lane as a public way in accordance with the layout adopted by the Selectmen and on file with the Town Clerk and to authorize the Board of Selectmen to accept gifts of easements for said public way and any associated easements for drainage or other purposes; or act in relation thereto. Submitted by the Planning Board.

ARTICLE 27

To see if the Town will vote to accept Westmeadow Lane as a public way in accordance with the layout adopted by the Selectmen and on file with the Town Clerk and to authorize the Board of Selectmen to accept gifts of easements for said public way and any associated easements for drainage or other purposes; or act in relation thereto. Submitted by the Planning Board

ARTICLE 28

To see if the Town will vote to dissolve the Industrial Development Finance Authority effective June 30, 2002. Thereafter, the Board of Selectmen will act on behalf of the Town on all matters of concern with the Industrial Development Finance Authority; or act in relation thereto. Submitted by the Industrial Development Finance Authority.

ARTICLE 29

To see if the Town will vote to eliminate the following committees: Billerica Residents Monitoring Committee; Civic and Convention Commission; Mapping Commission; Ombudsmen Committee; Septage Disposal Study Committee; Development and Industrial Commission; or act in relation thereto. Submitted by the Town Moderator, Maureen M. Sullivan

ARTICLE 30

To see if the Town will vote to adopt the Hemerocallis (daylily) as the Town Flower; or act in relation thereto. Submitted by Barbara Morrissey, Petitioner and Madames MacNutt, MacDowell, Hanlon, Warren, O'Riorden, Camilleri, Butler, Doucette, Papas, and Kilday.

ARTICLE 31

To see if the Town will vote to discontinue Stewart Street as a public way for a distance from Cady Street to Peace Street; or act in relation thereto.

Submitted by William Dee, petitioner and Messrs. Linehan, Leroux, Ortolani, Ortolani, Ortolani and Madames Boucher, Linehan, Kelleher and Ortolani.

ARTICLE 32

To see if the Town will vote to amend the Zoning By-Law by Re-zoning from a Rural Residential District to a General Business District a parcel of land located at 31 Boston Road in said Town bounded and described as follows:

Beginning at a point on the westerly side of Boston Road at land of Fannie Adams, now or formerly; thence running westerly by said Adams land two hundred sixty-two and 5/10 (262.5) feet to the easterly line of the ditch; thence running southwesterly at an angle of 120°, 45' along the easterly line of said ditch one hundred sixty-four (164) feet; thence, running southerly at an angle of 137°, 20' along the easterly line of said ditch one hundred six and 8/10 (106.8) feet to land of George H. Conley, now or formerly; thence running easterly by said Conley land at an angle of 97°, 56' three hundred sixty and 25/100 (360.25) feet to said Boston Road; thence northerly at an angle of 79°, 40' along said Boston Road seventy and 7/10 (70.7) feet to a stone bond; thence still northerly at an angle of 187°, 30' along said Boston Road one hundred and fifty-two and 5/10 (152.5) feet to the point of beginning.

Containing 76,511 square feet and being all and the same premises shown on a plan entitled "Plan of land in North Billerica, Massachusetts belonging to G.H. Conley, F.W. Huntington & Co., C.E.'s August 1919" which plan is recorded in Middlesex North District Registry of Deeds, Book of Plans 36, Plan 72.

Beginning at a point on Boston Road at the southeasterly corner of the premises thence bounded by a course:

S 85°18'20" W, 360.25' thence;

N 12°37'40"W, 106.80' thence;

N 28°53'13"E, 162.43' thence;

N 89°05'04"E, 267.51' thence;

by a curved line 154.64' thence;

S 15°13'45"E, 70.64' to the point of beginning

Said property contains 1.78 acres; or act in relation thereto.

Submitted by Richard Annese, Petitioner and Messrs. Keefe, Ripa, Ripa, Dresser, Hammond, St. George, Dangora and Madames Ripa and Ripa

ARTICLE 33

To see if the Town will vote to amend the Zoning By-laws by zoning to an Elderly Housing Overlay District a parcel of land located on Allen Road and Webb Brook Road in said Town, owned by P & D Realty Trust and Webb Brook Realty Trust, Assessor's Map 71, Parcels 12-1 and 12-6; bounded and described as follows: Parcel A and Lot 5 on a plan entitled "Rezoning Plan of Land in Billerica, Mass. (Middlesex County)" dated February 26, 2002, Noonan & McDowell, Inc., Registered Land Surveyors. Legal Description: A certain parcel of land in the Town of Billerica, in the County of Middlesex, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a point on the south side of Webb Brook Road at land now or formerly L. Alice Farmer, trustee of Webb Brook Road Realty Trust; thence

- N80-30-11E One hundred seventy-two and 52/100 feet (172.52') to a point of curvature; thence
- Northeasterly Along a curve to the left having a radius of one thousand three hundred twenty-eight and 51/100 feet (1,328.51') and a length of forty-eight and 69/100 feet (48.69') to a point. Said last two courses are along the southerly sideline of Webb Brook Road; thence
- S09-21-44E Two hundred one and 00/100 feet (201.00') to a point; thence
- S85-39-28E One hundred eighty and 00/100 feet (180.00') to a point. Said last two courses are by land now or formerly Howard Allgaier, Trustee of A. C. Realty Trust; thence
- S26-47-59E One hundred seventy-five and 25/100 feet (175.25') to a point. Said last course by land now or formerly Todd D. & Shellie R. Bertolami; thence
- S31-47-41E One hundred eighty and 25/100 feet (180.25') to a point; thence
- N52-28-00E Two hundred thirty and 00/100 feet (230.00') to a point on the westerly sideline of Allen Road. Said last two courses by land now or formerly Riverbank Construction, Inc.; thence
- S36-18-49E Forty and 73/100 feet (40.73') to a point of curvature; thence
- Southeasterly Along a curve to the left having a radius of five hundred sixty and 00/100 feet (560.00') and a length of one hundred fifty-eight and 67/100 feet (158.67') to a point of tangency; thence
- S52-32-52E One hundred thirteen and 77/100 feet (113.77') to an angle point; thence
- S49-19-52E Six and 11/100 feet (6.11') to land new or formerly George Allen & Son Construction, Inc. Said last four courses are along the westerly sideline of Allen Road; thence
- S29-59-03W Two hundred forty-four and 64/100 feet (244.64') to a point; thence
- S84-09-42E Zero and 27/100 feet (00.27') to a point; thence
- S83-17-33E One hundred eighteen and 29/100 feet (118.29') to a point; thence
- S83-13-29E One hundred fifty-five and 67/100 feet (155.67') to a point on a private way. Said last four courses by land now or formerly George Allen & Son Construction, Inc.; thence
- S03-20-40W Two hundred fifty-five and 62/100 feet (255.62') to a point. Said last course by a private way and land now or formerly Debert & Faye E. Gayle and Renee D. Arone & Eric L. Powell, Jr.; thence
- S03-20-58W One hundred fifty-six and 61/100 feet (156.61') to a point; thence

- S07-03-22W Seventy and 63/100 feet (70.63') to a point on a private way. Said last two courses by land now or formerly Renee D. Arone & Eric L. Powell, Jr.; thence
- N87-51-54W One hundred forty-five and 52/100 feet (145.52') to an angle point; thence
- N76-28-21W Two hundred twenty-six and 20/100 feet (226.20') to a point. Said last two courses by the northerly sideline of a private way; thence
- S13-39-37W Three hundred fifty-four and 31/100 (354.31') to a point. Said last course by the westerly sideline of a private way and land now or formerly Jeremiah F. Kelliher; thence
- N63-31-16W Fifty-three and 43/100 feet (53.43') to a point; thence
- N61-44-36W Forty-five and 98/100 feet (45.98') to a point. Said last two courses by land now or formerly Telemachus A. & George A. Demoulas, Trustees of Towne Shopping Center Realty Trust; thence
- N62-20-16W One hundred thirty-nine and 29/100 feet (139.29') to a point. Said last course by land now or formerly Telemachus A. & George A. Demoulas, Trustees of Towne Shopping Center Realty Trust; and Valley Properties, Inc.; thence
- N64-39-30W Ninety-five and 25/100 feet (95.25') to a point; thence
- N61-07-30W Sixty-seven and 69/100 feet (67.69') to a point; thence
- N63-20-37W Seventy-two and 52/100 feet (72.52') to land now or formerly Philip Corey Farmer. Said last three courses by land now or formerly Valley Properties, Inc.; thence
- N23-02-12E One hundred fifty-three and 89/100 feet (153.89') to a point. Said last course by land now or formerly Philip Corey Farmer and Karen M. Farmer, Trustee of Dew Farm Realty Trust; thence
- N24-24-36E Four hundred thirty-nine and 14/100 feet (439.14') to a point; thence
- N73-47-34W Three hundred twenty-four and 00/100 feet (324.00') to a point; thence
- N45-32-04W One hundred fifty-eight and 19/100 feet (158.19') to a point; thence
- N41-57-12W One hundred twenty-nine and 81/100 feet (129.81') to land now or formerly C. Alice Farmer, Trustee of Webb Brook Road Realty Trust. Said last four courses by land now or formerly Karen M. Farmer, Trustee of Dew Farm Realty Trust; thence
- N00-41-37E Five hundred nineteen and 18/100 feet (519.18') to the point of beginning. Said last course by land now or formerly C. Alice Farmer, Trustee of Webb Brook Road Realty Trust.

The above described parcel of land contains 21.41 Acres, more or less, and is more particularly shown as Lot 5 and Parcel A on plan of land entitled "Rezoning Plan of Land in Billerica, Massachusetts, Middlesex County, dated: February 26, 2002, by: Noonan & McDowell, Inc., 25 Bridge Street, Suite 6, Billerica, Massachusetts." Submitted by Stephen J. Lentine, Petitioner and Messrs. Farmer, Farmer, Byrnes, Powderly, Stickney, Sr., McGowan and Madames Farmer, Byrnes and Powderly.

And you are hereby directed to serve this Warrant by posting true and attested copies thereof, one copy at the Town Hall, one copy at the Billerica Public Library, one copy at the Billerica Police Station, one copy at Michael's Bakery, one copy at Pinehurst Post

Office, one copy at the Center Post Office, Boston Road, one copy at Market Basket, Towne Plaza, Boston Road; one copy at the West Billerica Fire Station; one copy at the Nutting Lake Post Office, one copy at the Billerica Walk-in Medical Center, Boston Road, one copy at the Ninety-Nine Restaurant, Lexington Road, one copy at the Pinehurst Fire Station, one copy at the East Billerica Fire Station, one copy at the North Billerica Post Office and one copy at the North Billerica Fire Station.

Given under our hands this 29th day of April, 2002.

BOARD OF SELECTMEN

S/James F. O'Donnell, Jr., Chairman
S/Robert M. Correnti, Secretary
S/Michael S. Rosa

S/Francis M. Fraine, Vice-Chairman
S/Ellen Day Rawlings

A True Copy
ATTEST:

S/Al Melaragni, Constable,
Town of Billerica

April 29, 2002

Ms. Evelyn M. Haines
Assistant Town Manager
Town Hall
365 Boston Road
Billerica, MA 01821

Dear Ms. Haines:

I have posted the Warrant for the Spring Town Meeting to be held on Tuesday, May 7, 7:30 p.m. at the Maurice A. Buck Memorial Auditorium, 365 Boston Road, Billerica, MA at the following locations:

Town Hall
Billerica Public Library
Billerica Police Station
Michael's Bakery
Pinehurst Post Office
Center Post Office, Boston Road
Market Basket, Towne Plaza, Boston Road
West Billerica Fire Station
Nutting Lake Post Office
Billerica Walk-in Medical Center, Boston Road

Ninety-Nine Restaurant, Lexington Road
Pinehurst Fire Station
East Billerica Fire Station
North Billerica Post Office
North Billerica Fire Station

Signed:
S/Al Melaragni, Constable
Town of Billerica

**ANNUAL SPRING TOWN MEETING
MAURICE A. BUCK MEMORIAL AUDITORIUM
PRELIMINARY SESSION – MAY 2, 2002**

A preliminary session of the Annual Spring Town Meeting was convened on Thursday, May 2, 2002 at 7:30 p.m. in the Maurice A. Buck Memorial Auditorium, Town Hall, 365 Boston Road, Billerica, MA for the following purposes:

1. To swear in newly elected Town Meeting Members
2. To hold Precinct caucuses to fill vacant seats
3. To elect Chairpersons and Clerks
4. To elect Members to the Rules Committee

Caucuses were held and the following Town Meeting Members were elected:

- Precinct 1: Robert J. Brogan, 3 LaSalette Road
 Nancy L. Ferris, 16 Maplewood Avenue
 Katherine M. Kilroy, 33 Briarwood Avenue
 Timothy G. Kilroy, 33 Briarwood Avenue
- Precinct 5: Christopher A. Connell, 10 Scroxtton Drive
 William P. Hadley, 197 Allen Road
 Alice P. Houghton, 16 Arcadia Road
- Precinct 6: John T. Glavin, Jr., 418 Treble Cove Road
- Precinct 8: Brian A. Morgan, 14 Ironwood Street
 Elizabeth Patriquin, 202 Salem Road
 Keith W. Russell, 8 Ironwood Street
 Terrance Throwe, 10 Green Meadow Drive
- Precinct 9: Dorothy L. Pearson, 7 Ox Road
- Precinct 10: John Luke Mills, 3 Passaconaway Drive

The following Precinct Chairpersons and Clerks were elected:

- Precinct 1: Chairperson: David A. Gagliardi, 2 Whiting Street
 Clerk: Joanne M. Gagliardi, 2 Whiting Street
- Precinct 2: Chairperson: Carol D. Wood, 29 Call Street
 Clerk: Peter E. Marck, 23 Seven Oaks Road
- Precinct 3: Chairperson: Lawrence R. Norman, 18 Shelburne Avenue

	Clerk:	William F. Loughlin, 11 Lincoln Road
Precinct 4:	NO QUORUM	
Precinct 5:	Chairperson:	Kenneth L. Buffum, 86 Baldwin Road
	Clerk:	Madeline T. Sargent, 17 Gov. Fuller Road
Precinct 6:	Chairperson:	Salvatore Pasciuto, Jr., 20 Moran Road
	Clerk:	Malcolm P. McDowell, 56 Riveredge Road
Precinct 7:	Chairperson:	John E. Bartlett, 9 Edgar Road
	Clerk:	Janice D. Busalacchi, 13 Kirk Road
Precinct 8:	Chairperson:	Barbara Morrissey, 10 Sumac Street
	Clerk:	Charlene McCarthy, 52 Gail Ann Drive
Precinct 9:	Chairperson:	Elaine T. Horlink, 1 Lorraine Terrace
	Clerk:	Anthony V. Capezza, Jr., 8 Cynthia Road
Precinct 10:	Chairperson:	Doris M. Pearson, 25 Harjean Road
	Clerk:	William H. Desmond, 5 Kingston Street
Precinct 11:	Chairperson:	Anthony Barbere, 7 Olde Hillside Avenue
	Clerk:	Michael T. Revane, 113A Bridle Road

The following persons were elected/re-elected to the Committee on Rules:

Precinct 1:	David A. Gagliardi	2 Whiting Street
Precinct 2:	Philip J. Newfell	145 High Street
Precinct 3:	Marie C. Loughlin	11 Lincoln Road
Precinct 4:	No Quorum	
Precinct 5:	Joel Williams	30 Gov. Hutchinson Road
Precinct 6:	Dorothy M. Callihan	18 Rexhame Street
Precinct 7:	Mary K. McBride	12 Bolton Road
Precinct 8:	Oren D. Hunt, Jr.	28 Gray Street
Precinct 9:	James Patrick Lally	8 C Street
Precinct 10:	Roger A. Nowicki	7 Fillmore Drive
Precinct 11:	Marie Massey	149 Bridle Road

The Preliminary Meeting dissolved at 8:35 p.m. Immediately following dissolution, the League of Women Voters conducted an orientation session for newly elected Town Meeting Representatives.

A True copy

ATTEST:

S/Shirley E. Schult

Shirley E. Schult, CMC, CMMC, Town Clerk

**ANNUAL SPRING TOWN MEETING
MAURICE A. BUCK MEMORIAL AUDITORIUM
FIRST SESSION – MAY 7, 2002**

Prior to the start of Town Meeting, caucuses were held in several precincts and the following Town Meeting Members were elected:

Precinct 1:	Kevin Gilligan Arthur Laramée Craig E. Rich	44 Elsie Avenue 5 Karen Circle – Unit 14 28 Hilltop Road
Precinct 3:	Donald R. Bears	26 Topliff Street
Precinct 4:	Kristi-Rae Garon Scott H. Garon	42 Friendship Street 42 Friendship Street
Precinct 6:	Michael W. Conant, Jr. Jean-Paul Durand Elizabeth Anne Smith	78 Queensland Road 27 Simonds Farm Road 6 Coach Road
Precinct 8	Michael Tempia Everett Jones	5 Fountain Street 36 Woodbury Road

Precinct 4 elected the following Precinct Officers:

Chairperson	Alma Elkins	27 Glad Valley Drive
Clerk:	Douglas Fogerty	26 French Street
Committee on Rules:	Robert Killeen	7 Locke Road

Karen Miller, Oren D. Hunt, Jr., Dorothy L. Pearson and Marie Loughlin were appointed tellers and were sworn in by Moderator Sullivan.

A quorum count was called. With one hundred sixty-one Town Meeting Members present, the 2002 Annual Spring Town Meeting was declared in session at 7:41 p.m.

Rev. Dr. Dennis Bailey, Pastor of the First Congregational Church on Andover Road gave the invocation. This was followed by the National Anthem sung by the High School Special Ensemble.

A minute of silence was observed for the following deceased persons: William B. Allen, Died: December 19, 2001, School Crossing Guard: 1994-2001; Roger Biagiotti Jr., Died: March 24, 2002, Billerica Highway Dept.: 1945-1948, Billerica Police Department: 1949-1987, Special Police Officer: 1987-1992, Town Meeting Member: 1967-1975, 1987-2001, Planning Board: 1968-1979, Permanent School Building Committee: 1968-1977, Permanent Street Acceptance Committee: 1974, Personnel Board: 1974-1983, Town Charter Committee: 1985-1986, Finance Committee: 1986-2001, By-Law Review Committee: 1987-1989, Democratic Town Committee: 1968-1992; Noreen Donovan, Died; December 26, 2001, Dutile School Teacher: 1985-2002; Leslie A. Greenleaf, Died; October 28, 2001, Election Officer: 1998-2001; Paul James Gallagher, Jr., Died: April 15, 2002, Billerica Police Dept. Paramedic: 1985-1997; Margaret L. Hastings, Died: January 7, 2002, School Cafeteria Worker: 1970-1987; Maurice J. Houlne, Died: March 26, 2002, Town Meeting Member: 1956-1994, Associate Assessor: 1983-1994; Donna J. Hyman, Died: March 23, 2002, Ditson Teacher: 1991-2002; Dorothy E. Tremblay, Died: April 28, 2002, School Dept. Secretary: 1976-1980; Georgina A. Menezes, Died: March 20, 2002, Substitute Election Precinct Officer.

The chorus then sang a medley of tunes from the Spring Musical “Brigadoon”.

School Superintendent Dr. Robert Calabrese introduced the top students in the Class of 2002. Salutatorian Sarah Rebilas, daughter of Mark and Denise Rebilas, ranked second in a class of 304 with a grade average of 96.0. In addition to her many scholastic achievements, she has been active in community activities. She has been accepted at Stonehill College as a Presidential Scholar.

Valedictorian Anna Moore, daughter of Richard and Janet Moore ranked first in the class of 304 with a grade average of 96.3. She scored a perfect 800 on the Math SAT test. In addition to her many academic achievements, she has been active in community activities. She has received the Dean’s Scholarship at Gordon College where she will be a physics major.

The Moderator appointed Gilbert Moreira as Deputy Moderator. The Town Meeting Members ratified his appointment. He was then sworn to the duties of the position.

It was moved, seconded and VOTED to accept the Warrant as duly posted by the Constable.

It was moved, seconded and VOTED to dispense with the reading of the Warrant.

It was moved, seconded and VOTED to move Article 30 to the first order of business on May 9th.

It was moved, seconded and VOTED to move Article 17 to the first order of business on May 14th.

It was moved, seconded and VOTED to move Article 19 to the second order of business on May 14th.

It was moved, seconded and VOTED to move Article 24 to the sixth order of business on May 14th.

It was moved, seconded and VOTED to move Article 25 to the third order of business on May 14th.

It was moved, seconded and VOTED to move Article 26 to the fourth order of business on May 14th.

It was moved, seconded and VOTED to move Article 27 to the fifth order of business on May 14th.

It was moved, seconded and VOTED to move Article 32 to the seventh order of business on May 14th.

It was moved, seconded and VOTED to move Article 33 to the eighth order of business on May 14th.

ARTICLE 1

It was moved and seconded to fix the compensation of the following six elected officers of the Town as follows:

Selectmen, Chairman	\$ 2,000.00
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Selectmen, Members	\$ 1,800.00
Town Clerk	\$79,992.00

The Finance Committee concurred. The Selectmen concurred.

The motion as presented CARRIED.

ARTICLE 2

It was moved, seconded and VOTED to accept the committee reports as printed in the Warrant.

Selectman Rosa gave the report of the World War II Memorial Committee. It was moved, seconded and VOTED to accept the report.

General By-Law Review Committee Chairman David Gagliardi gave the Committee report and moved to dissolve the General By-Law Committee with thanks. Seconded. The motion CARRIED.

ARTICLE 3

It was moved and seconded to transfer from available funds the sum of \$320,000 to fund the following FY2002 budget line items:

Transfer from:

Town Debt Interest - \$90,000
 Town Debt Interest - \$130,000
 Water Dept. Full-Time Salaries - \$25,000
 Highway Dept. Full-Time Salaries - \$75,000

Transfer to:

Town Group Insurance
 Water Department Supplies/Expenses
 Water Department Utilities
 Water Department Utilities

The Finance Committee concurred. The Selectmen concurred. The motion as presented CARRIED.

ARTICLE 4

It was moved and seconded to adopt, pursuant to Article 5 of the Home Rule Charter, the proposed line item budget as printed in the warrant.

Town Manager Richard Montuori presented an overview of the financial picture of the Town. He outlined Department line items that have increases and the reasons for the increases. Interest costs, rising insurance and utility costs coupled with declining State Reimbursements account for most of the increases. This budget will not necessitate layoffs and will maintain services at the present level.

The Moderator explained the "hold" system and then went through the budget, department by department. Anyone wishing to discuss a particular item then placed a "hold" on that item.

Rep. Moreira moved that all budget items not held be voted as recommended by the Finance Committee. Seconded. The motion CARRIED.

Account #123-5100 – Town Manager – Personnel

The sum of \$252,035.00 was moved, seconded and VOTED to fund Account #123-5110.

Account #125-5200 – Systems Admin. – Contract Services/Lease

The sum of \$393,406.00 was moved, seconded and VOTED to fund Account #125-5200.

Account #292-5800 - Dog Officer – Capital Outlay

The sum of “zero” was moved, seconded and VOTED for Account #292-5800.

Account #241-5800 – Building Department – Capital Outlay

The sum of \$24,000.00 was moved, seconded and VOTED to fund account #241-5800.

Account #5278 – Snow and Ice

The sum of \$350,000.00 was moved and seconded to fund Account #5278 - Snow and Ice. Moderate discussion ensued relative to the amount of money in this account.

Rep. Conway moved to end debate. Seconded. With ninety-nine in favor and sixty-five (65) opposed, debate continued.

The Town Manager explained that this is the one account where there can be deficit spending.

Rep. Dampolo moved to end debate. Seconded. The motion to end debate CARRIED. The motion to appropriate the sum of \$350,000.00 CARRIED.

Account #300 – Billerica Public Schools

The sum of \$49,057,932.00 was moved, seconded and VOTED to fund the Billerica Public Schools.

Account #630-5400 – Recreation Department – Supplies & Expenses

The sum of \$16,100.00 was moved, seconded and VOTED to fund Account #630-5400.

Account #630—5800 – Recreation – Capital Outlay

The sum of \$36,600.00 was moved, seconded and VOTED to fund Account #630-5800.

Civic Events/Organizations – Memorial Day/Homecoming Account

The sum of \$17,000.00 was moved, seconded and VOTED to fund the Memorial Day/Homecoming Account.

Civic Events/Organizations – Family First Night Account

The sum of \$10,000.00 was moved and seconded.

Rep. Marck moved to amend the amount to \$5,000.00. Seconded.

Slight debate ensued. Rep. Dampolo moved the question on the amendment. Seconded. The motion to end debate CARRIED. The amendment for \$5,000.00 LOST.

Rep. Cavicchio moved the question on the main motion. Seconded. The motion CARRIED.

The motion to appropriate \$10,000.00 CARRIED

Civic Events/Organizations – Middlesex Canal Account

The sum of \$5,000.00 was moved, seconded and VOTED to fund the Middlesex Canal Account.

Civic Events/Organizations – Beautification Account

The sum of \$5,000.00 was moved, seconded and VOTED to fund the Beautification Account.

Town System-wide – Solid Waste

The sum of \$2,857,712.00 was moved, seconded and VOTED to fund the Solid Waste Account.

Town System-wide – Town Building Insurance

The sum of \$399,768.00 was moved, seconded and VOTED to fund the Town Building Insurance Account.

Town System-wide – Town Workers' Compensation

The sum of \$184,995.00 was moved, seconded and VOTED to fund the Town Workers' Compensation Account.

Town System-wide – Town General Office Supplies

The sum of \$50,000.00 was moved, seconded and VOTED to fund the Town General Office Supply Account.

Town System-wide – Abandoned Buildings

The sum of \$20,000.00 was moved, seconded and VOTED to fund the Abandoned Buildings Account.

Town System-wide – Street Lights

The sum of \$218,300.00 was moved, seconded and VOTED to fund the Street Light Account.

Rep. Moreira moved to ratify and affirm all action taken on Article 4, the budget. Seconded. The motion CARRIED.

Rep. Moreira moved to adjourn until Thursday evening at 7:30 p.m. Seconded. The motion CARRIED. The first session of the Annual Spring Town Meeting adjourned at 10:17 p.m.

A True Copy

ATTEST:

S/Shirley E. Schult

Shirley E. Schult, CMC, CMMC, Town Clerk

FISCAL YEAR 2003 BUDGET

122 – Board of Selectmen	
5110 Personnel	63,712
5190 Contractual Obligations	3,743
5400 Supplies & Expenses	1,700
5200 Contract Services/Leases	8,400
NMCOG Assessment	10,269
5800 Capital Outlay	-
TOTAL	87,824
123 – Town Manager	
5110 Personnel	252,035
5120 Permanent Part Time	14,743
5130 Overtime	3,000
5190 Contractual Obligations	6,878
5400 Supplies & Expenses	12,800
5200 Contract Services/Leases	1,500
Comm. Plan./Proj./Tech. Asst.	25,000
Pensions	1,975
Emp. Medical Exams	30,000
Prof. Training/Development	10,000
Pr. Town Rep./TM Handouts	12,000
Uniforms/Merit Wage	2,000
Assessment Center	-
Capital Outlay	-
TOTAL	371,931
125 – Systems Admin.	
5110 Personnel	87,629
5190 Contractual Obligations	700
5400 Supplies & Expenses	57,115
5200 Contract Services/Leases	393,406
5800 Capital Outlay	5,000
TOTAL	543,850
135 – Town Accountant	
5110 Personnel	171,567
5190 Contractual Obligations	1,050
5400 Supplies & Expenses	2,500
5200 Contract Services/Leases	3,500
Town Audit	32,000
5800 Capital Outlay	-
TOTAL	210,617

141 – Assessor	
5110 Personnel	248,110
5120 Permanent Part Time	25,037
5190 Contractual Obligations	12,201
5400 Supplies & Expenses	3,000
5200 Contract Services/Leases	40,000
5800 Capital Outlay	-
TOTAL	328,348
145 – Treasurer/Collector	
5110 Personnel	532,674
5120 Permanent Part Time	19,332
5130 Overtime	2,000
5190 Contractual Obligations	12,734
5400 Supplies & Expenses	14,398
5200 Contract Services/Leases	86,922
Town Health Insurance	2,735,524
Town Medicare	211,433
5235 Tax Revenue Collection	74,000
5800 Capital Outlay	-
TOTAL	3,689,017
161 – Town Clerk	
5110 Personnel	186,414
5190 Contractual Obligations	7,836
5400 Supplies & Expenses	675
5200 Contract Services/Leases	4,155
5800 Capital Outlay	-
TOTAL	199,080
192 – Town Hall	
5110 Personnel	37,940
5190 Contractual Obligations	800
5400 Supplies & Expenses	107,773
5400 Custodial Supplies	6,000
5200 Contract Services/Leases	37,360
Cleaning Services	5,000
5256 Utilities	127,440
5800 Capital Outlay	-
TOTAL	322,313
543 – Veterans Services	
5110 Personnel	98,366
5190 Contractual Obligations	6,039
5400 Supplies & Expenses	2,540
5200 Contract Services/Leases	1,085
5280 Veterans Benefits	270,000
TOTAL	378,030
129 – Cable Advisory Committee	
5120 Permanent Part Time	500
5400 Supplies & Expenses	25
TOTAL	525
131 – Finance Committee	
5120 Permanent Part Time	1,000
5400 Supplies & Expenses	50

5200 Contract Services/Leases	1,720
Reserve Fund	50,000
TOTAL	52,770
163 – Board of Registrars	
5110 Personnel	65,741
5120 Permanent Part Time	3,584
5130 Overtime	760
5190 Contractual Obligations	3,789
5400 Supplies & Expenses	8,005
5200 Contract Services/Leases	3,625
5800 Capital Outlay	-
TOTAL	85,504
162 – Election Department	
5120 Permanent Part Time	35,343
5400 Supplies & Expenses	1,800
5200 Contract Services/Leases	34,316
5800 Capital Outlay	-
TOTAL	71,459
171 – Conservation Commission	
5110 Personnel	97,400
5120 Permanent Part Time	26,902
5190 Contractual Obligations	4,612
5400 Supplies & Expenses	101
5200 Contract Services/Leases	1,030
Beaver Dam Control	7,500
5800 Capital Outlay	5,400
TOTAL	142,945
175 – Planning Board	
5110 Personnel	103,491
5120 Permanent Part Time	-
5130 Overtime	2,587
5190 Contractual Obligations	4,956
5400 Supplies & Expenses	575
5200 Contract Services/Leases	950
5800 Capital Outlay	800
TOTAL	113,359
176 – Board of Appeals	
5110 Personnel	41,145
5120 Permanent Part Time	750
5130 Overtime	2,838
5190 Contractual Obligations	3,439
5400 Supplies & Expenses	200
5200 Contract Services/Leases	100
5800 Capital Outlay	-
TOTAL	48,472
541 – Council on Aging	
5110 Personnel	116,267
5120 Permanent Part Time	46,827
5190 Contractual Obligations	1,500
5400 Supplies & Expenses	4,500
5200 Contract Services/Leases	15,000
5256 Utilities	700
5800 Capital Outlay	-

TOTAL	184,794
561 – Commission on Disabilities	
5400 Supplies & Expenses	-
5200 Contract Services/Leases	1,000
TOTAL	1,000
563 – Housing Partnership	
5150 Temporary/Seasonal	-
5400 Supplies & Expenses	1,000
TOTAL	1,000
691 – Historical Commission	
5400 Supplies & Expenses	100
5200 Contract Services/Leases	500
TOTAL	600
210 – Police Department	
5110 Personnel	3,696,733
5120 Permanent Part Time	-
5130 Overtime	524,160
5190 Contractual Obligations	1,101,219
5400 Supplies & Expenses	296,503
5200 Contract Services/Leases	106,060
5800 Capital Outlay	162,700
TOTAL	5,887,375
220 – Fire Department	
5110 Personnel	3,983,855
5120 Permanent Part Time	10,511
5130 Overtime	675,000
5190 Contractual Obligations	785,641
5400 Supplies & Expenses	155,950
5200 Contract Services/Leases	99,887
5256 Utilities	60,000
5800 Capital Outlay	56,900
TOTAL	5,827,744
231 – Ambulance	
5110 Personnel	391,479
5120 Permanent Part Time	5,000
5130 Overtime	113,800
5190 Contractual Obligations	49,647
5400 Supplies & Expenses	42,367
5200 Contract Services/Leases	9,953
5800 Capital Outlay	-
TOTAL	612,246
291 – Emergency Management	
5110 Personnel	9,027
5400 Supplies & Expenses	15,500
5800 Capital Outlay	-
TOTAL	24,527
292 – Dog Officer	
5110 Personnel	33,818
5120 Permanent Part Time	15,190
5130 Overtime	-
5190 Contractual Obligations	-
5400 Supplies & Expenses	1,700

5200 Contract Services/Leases	2,555
5256 Utilities	3,550
5800 Capital Outlay	-
TOTAL	56,813
241 – Building Department	
5110 Personnel	425,017
5130 Overtime	-
5150 Temporary/Seasonal	5,000
5190 Contractual Obligations	11,045
5400 Supplies & Expenses	8,986
5200 Contract Services/Leases	28,125
5800 Capital Outlay	24,000
TOTAL	502,173
244 – Sealer Weights and Measures	
5120 Permanent Part Time	5,141
5400 Supplies & Expenses	320
5200 Contract Services/Leases	1,170
TOTAL	6,631
510 – Board of Health	
5110 Personnel	249,687
5120 Permanent Part Time	47,996
5130 Overtime	974
5190 Contractual Obligations	14,628
5400 Supplies & Expenses	3,650
5200 Contract Services/Leases	18,856
5800 Capital Outlay	-
TOTAL	335,791
410 – Engineering	
5110 Personnel	365,349
5130 Overtime	16,300
5190 Contractual Obligations	4,950
5400 Supplies & Expenses	10,000
5200 Contract Services/Leases	7,000
5800 Capital Outlay	34,300
TOTAL	437,899
421 – Public Works Administration	
5110 Personnel	373,387
5120 Permanent Part Time	-
5130 Overtime	600
5190 Contractual Obligations	15,562
5400 Supplies & Expenses	2,500
5200 Contract Services/Leases	14,500
5800 Capital Outlay	-
TOTAL	406,549
422 – Highway Department	
5110 Personnel	872,795
5130 Overtime Regular	60,000
5150 Temporary/Seasonal	51,480
5190 Contractual Obligations	14,925
5400 Supplies & Expenses	340,400
5200 Contract Services/Leases	140,000
5256 Utilities	12,000
5800 Capital Outlay	20,000

TOTAL	1,511,600
Snow and Ice	
5131 Snow Overtime	70,000
5278 Snow and Sand Expenses	350,000
TOTAL	420,000
441 – Sewer Department	
5110 Personnel	883,462
5150 Temporary/Seasonal	7,920
5130 Overtime	91,535
5190 Contractual Obligations	38,910
5400 Supplies & Expenses	420,700
5200 Contract Services/Leases	365,000
5256 Utilities	330,000
5800 Capital Outlay	49,000
TOTAL	2,186,527
450 – Water Division	
5110 Personnel	1,001,934
5120 Permanent Part Time	26,511
5130 Overtime	179,520
5132 Flushing Program	45,900
5190 Contractual Obligations	38,315
5400 Supplies & Expenses	535,000
5200 Contract Services/Leases	160,000
5256 Utilities	385,000
5800 Capital Outlay	25,000
TOTAL	2,397,180
491 – Cemetery Parks/Trees	
5110 Personnel	412,727
5120 Permanent Part Time	37,660
5130 Overtime	58,415
5190 Contractual Obligations	7,950
5400 Supplies & Expenses	50,410
Mosquito Control	12,000
5200 Contract Services/Leases	17,680
5256 Utilities	6,000
5800 Capital Outlay	17,700
5100 Perpetual Care	(45,000)
TOTAL	575,542
300 – Billerica Public Schools	
5160 Professional Salaries	34,872,039
5170 Clerical Salaries	
5180 Other Salaries	
5400 Supplies & Expenses	1,373,483
5200 Contract Services/Leases	6,868,610
5256 Utilities	1,198,536
Building Insurance	120,000
Workers Compensation	330,000
Group Health Insurance	3,295,076
Unemployment Insurance	25,000
Medicare	236,000
Debt Principal	200,000
Debt Interest	20,800
Temporary Borrowing	459,200

5800 Capital Outlay	59,188
TOTAL	49,057,932
310 – Shawsheen Technical School	
5300 Operating Costs	5,168,094
5800 Capital Outlay	-
TOTAL	5,168,094
610 – Public Library	
5110 Personnel	327,749
5120 Permanent Part Time	405,367
5190 Contractual Obligations	13,919
5400 Supplies & Expenses	151,100
5200 Contract Services/Leases	44,105
Cleaning Service	17,000
5256 Utilities	81,400
5800 Capital Outlay	4,500
TOTAL	1,045,140
630 – Recreation Department	
5110 Personnel	152,202
5120 Permanent Part Time	68,000
5190 Contractual Obligations	4,100
5400 Supplies & Expenses	16,100
Warrant Articles	-
5200 Contract Services/Leases	48,500
5256 Utilities	7,000
5800 Capital Outlay	36,600
TOTAL	332,502
710 – Debt and Interest	
7150 Town Debt – Principal	3,889,237
7550 Town Debt – Interest	1,683,893
7580 New Debt Int. – Town	206,744
7130 Temporary Borrowing	100,000
7170 Exempt 2.5 Principal	-
7180 New Debt – Town Principal	-
7570 Exempt 2.5 Interest	-
TOTAL	5,879,874
Civic Events/Organizations	
VFW-P, DAV, VFW-S	800
Memorial Day/Homecoming	17,000
Family First Night	10,000
Middlesex Canal	5,000
Beautification	5,000
Scholarship Account	6,000
TOTAL	43,800
Town Systemwide	
Solid Waste	2,857,712
Town Building Insurance	399,768
Town Workers' Comp	184,995
Town Unemployment Comp.	5,000
Town Telephone System	100,000
Town Gnrl Office Supplies	50,000
Town Building Maintenance	100,000
Abandoned Buildings	20,000
Town Retirements	50,000
Streetlights	218,300

Legal	160,000
TOTAL	4,145,775
SUMMARY	
General Government	6,131,010
Boards & Commissions	702,428
Public Safety	12,408,705
Building/Inspection	508,804
Health Department	335,791
Public Works	7,935,297
Public Education	54,226,026
Public Library	1,045,140
Recreation	332,502
Debt & Interest	5,879,874
Civic Events/Organizations	43,800
Town Systemwide	4,145,775
TOTAL	93,695,152

**ANNUAL SPRING TOWN MEETING
MAURICE A. BUCK MEMORIAL AUDITORIUM
SECOND SESSION – MAY 9, 2002**

Prior to the start of Town Meeting, Precinct 1 and Precinct 9 held caucuses and elected the following as Town Meeting Members:

PRECINCT 1: Walter H. Suprey, Jr.	17 Richardson Street
PRECINCT 9: Cheryl L. Lally	8 C Street

Joan Toscano was appointed a teller and was sworn in by Moderator Sullivan.

A quorum count was called. With one hundred twenty-one (121) Town Meeting Members present, the second session of the Annual Spring Town Meeting was declared in session at 7:35 p.m.

It was moved, seconded and VOTED to make Article 31 the second order of business this evening.

ARTICLE 30

It was moved and seconded to adopt the Hemerocallis (day lily) as the Town Flower.

The Finance Committee concurred. The Selectmen concurred.

Shirley Holdman, a member of the Garden Club, was allowed forward to speak on this Article.

Considerable discussion ensued. Rep. Symes moved the question. Seconded. The motion to end debate CARRIED.

The motion as presented CARRIED unanimously.

ARTICLE 31

It was moved and seconded to discontinue Stewart Street as a public way for a distance from Cady Street to Peace Street.

The Finance Committee concurred. The Street Acceptance and Discontinuance Committee did not recommend this Article. This portion of Stewart Street has never been accepted and therefore cannot be discontinued.

William Dee, petitioner, spoke on the Article.

Considerable discussion ensued. The question of the legality of discontinuing this street was put to Town Counsel. Attorney Brackett stated that the town has never accepted Stewart Street and therefore the Town can not discontinue the Street.

After further discussion, the petitioner asked to withdraw this article without prejudice. It was moved, seconded and VOTED to dismiss this article without prejudice.

ARTICLE 5

It was moved and seconded to allow the Town Manager, upon the request of a department head, board or commission, to make a transfer of funds between budget line items not to exceed a difference of \$3,000 from the amount voted at Town Meeting per line item for the fiscal year 2003, with the exclusion of the travel accounts within the same department; transfers within department line items in excess of \$3,000 for fiscal year 2003 must be approved by the Finance Committee; a written report from the Town Manager on all transfers of \$3,000 and under must be provided to the Finance Committee on the first Tuesday of each month.

The Finance Committee concurred.

The motion as presented CARRIED.

ARTICLE 6

It was moved and seconded to authorize the use of all remaining funds from Article 7, Fall 2001 Town Meeting to purchase a 5-ton dump truck, equipped with sander and plow for the DPW Highway Division.

The Finance committee concurred. The Selectmen concurred.

Town Manager Montuori explained the Article. The bids for the three trucks authorized under Article 7 of the prior year came in less than projected. Therefore it is requested that these remaining funds be used in conjunction with Article 7 of this Town Meeting to purchase a fourth 5-ton dump truck.

Much discussion ensued. Rep. Dresser moved the question. Seconded. With ninety-five (95) in favor and sixty (60) opposed, the motion to end debate LOST.

Discussion continued. Rep. Revane moved to end debate. Seconded. The motion to end debate CARRIED unanimously.

The motion as presented CARRIED.

ARTICLE 7

It was moved and seconded to authorize the transfer of \$400,985, from the Town's Stabilization Fund (81524-4000) to fund the following:

Police Department Radio System	\$155,577
Emergency Mgmt. Town Radio System	50,408
Fire Department Radio System	165,000
DPW Highway, Sander & Plow Dump Truck	30,000

The Finance Committee concurred. The Selectmen concurred.

Several questions were raised relative to the radio systems.

Rep. Dampolo moved the question. Seconded. The motion to end debate CARRIED.

With one hundred sixty (160) voting in favor and two (2) opposed, the motion as presented CARRIED.

ARTICLE 8

It was moved and seconded to raise and appropriate \$162,000, to fund the following various items:

Assessors FY 2003 State Mandated Revaluation	\$100,000
DPW Cemetery, Trees & Parks Landscape Equip.	30,000
Kohlrausch Park, Install Irrigation System	<u>32,000</u>
	\$162,000

The Finance Committee concurred. The Selectmen concurred. The Town Manager explained the article.

Rep. McLaughlin moved the question. Seconded. The motion to end debate CARRIED.

The motion as presented CARRIED.

ARTICLE 9

It was moved and seconded to borrow the sum of \$7,080,000, and to further authorize the Treasurer with the approval of the Board of Selectmen to borrow under M.G.L. Chapter 44 for various General Fund purposes:

DEPARTMENT PROJECTS	AMOUNT
DPW – Roadway Management	\$ 950,000
DPW – Drainage Improvements	350,000
DPW – Sidewalk Rehab & Construction	280,000
DPW – Sewer Construction	5,500,000

The Finance Committee concurred. The Selectmen concurred.

The Town Manager stated that the Sewer Construction is in the River Pines area and the sidewalk construction is for the Baldwin Road area.

Much discussion ensued relative to sewer construction within the Town.

Rep. Lutrell moved the question. Seconded. The motion to end debate CARRIED.

The motion to borrow the sum of \$7,080,000.00 was put to a rising vote. With one hundred thirty-nine (139) in favor and eleven (11) opposed, the motion CARRIED.

ARTICLE 10

It was moved and seconded to transfer from the Sewer Rate Relief Fund the sum of \$471,225.00 for the purpose of design and construction of sewer projects.

The Finance Committee concurred. The Selectmen recommended this article.

Rep. Mollison moved to amend the article by striking the words “and construction”. Seconded. The amendment CARRIED.

Rep. Cavicchio moved the question. Seconded. The motion to end debate CARRIED.

The motion as amended CARRIED.

ARTICLE 11

It was moved and seconded to authorize the transfer of \$100,000 from the Sewer Inflow/Infiltration Fund to fund the following:

Public Works (SWR) Design and rehabilitation of Shawsheen River Study Area - \$100,000

The Finance Committee concurred. The Selectmen concurred.

The Town Manager explained the Article

Rep. Lutrell moved the question. Seconded. The motion to end debate CARRIED.

The motion as presented CARRIED unanimously.

ARTICLE 12

It was moved and seconded to authorize the transfer of \$405,000 from the Sewer Expansion Fund to fund the following:

Public Works (SWR) Pilot Study and Construction of facilities for phosphorous removal
- \$325,000.00

Design and evaluate improvements for the Richardson Street Pump Station - \$80,000.00

The Finance Committee concurred. The Selectmen recommended.

Rep. McLaughlin moved the question. Seconded. The motion to end debate CARRIED.

The motion as presented CARRIED.

ARTICLE 13

It was moved and seconded to authorize the Town pursuant to the authority under M.G.L. Chapter 44, Section 53E ½, to continue a Revolving Fund for the purpose of receiving fees and making disbursements in connection with the authorized duties of the Board of Selectmen.

Telecommunications Revolving Fund

All revenues received by the Board of Selectmen from fees charged for the lease of space on water storage tanks owned by the Town for the purpose of placing telecommunication and testing equipment shall be deposited in this fund. No more than \$30,000, shall be expended without further appropriation for the repair, maintenance and upgrading of the water storage and distribution system

	<u>Balance Forward</u>	<u>Receipts</u>	<u>Expenses</u>	<u>Balance</u>
FY 2001	\$ 83,190	\$35,727	0	\$118,917
FY 2002 (12/31)	\$118,917	\$16,873	0	\$135,790

The Finance Committee concurred. The Selectmen recommended the Article.

The motion as presented CARRIED.

ARTICLE 14

It was moved and seconded to authorize the Town pursuant to authority under M.G.L., Chapter 44, Section 53E1/2 to continue a Revolving Fund for the purpose of receiving all revenues from Medicaid and all revenues received from health insurance companies for special needs children and the BEAM Program, and making disbursements in connection with the authorized duties of the School Department. The School Superintendent or his designee is authorized to expend from this fund, but no more than \$550,000 shall be expended without further appropriation for special needs education and BEAM:

	<u>Balance Forward</u>	<u>Receipts</u>	<u>Expenses</u>	<u>Balance</u>
FY 2001	\$410,370	\$369,918	\$385,968	\$394,320
FY 2002	\$394,320	\$180,704	\$213,070	\$361,954

The Finance Committee concurred. School Superintendent Dr. Calabrese explained the Article.

The motion as presented CARRIED.

ARTICLE 15

It was moved and seconded to transfer from FY 02 Budget-School Debt the sum of \$41,476, to the Town Stabilization Account for the funding of the New Ditson School.

The Finance Committee concurred. The School Committee recommended.

The motion as presented CARRIED.

ARTICLE 16

It was moved and seconded to authorize the Board of Selectmen to accept deeds in which all persons who have an interest in title join as grantors, in lieu of foreclosure to any parcel of land within the Town, subject to and in compliance with the provisions of G.L. c60, §77C.

The Finance Committee concurred. The Selectmen recommended this article.

With one hundred thirty-seven (137) voting in favor and one (1) opposed, the motion CARRIED.

Rep. Moreira moved to adjourn until Tuesday night at 7:30 p.m. Seconded. Motion CARRIED.

The second session of the Annual Spring Town Meeting stood adjourned at 10:05 p.m.

A True Copy

ATTEST:

S/Shirley E. Schult

Shirley E. Schult, CMC, CMMC, Town Clerk

**ANNUAL SPRING TOWN MEETING
MAURICE A. BUCK MEMORIAL AUDITORIUM
THIRD SESSION – MAY 14, 2002**

Caucuses were held in Precincts Five and Eight. The following Town Meeting Members were elected:

Precinct 5	Robert C. Anton	32 Riverdale Road
Precinct 8	Joseph A. Gibelli	3 Gove Road

A quorum count was called. With one hundred sixty (160) Town Meeting Members present, the third session of the Spring Town Meeting was declared in session at 7:35 p.m.

ARTICLE 17

It was moved and seconded to borrow the sum of \$1,000,000.00 to fund renovations for a new Senior Center.

Finance Committee Vice-Chairman Rino Moriconi gave the report of the Finance Committee. He indicated that \$1,000,000.00 had been appropriated at a previous Town Meeting and a \$600,000.00 grant was obtained. The Committee felt that \$1,600,000.00 was sufficient to renovate the “old library” for use as a Senior Center. They voted unanimously not to recommend this article.

Robert Hurley, Chairman of the Council on Aging and Chester Sewell, Director of the Council on Aging gave a presentation urging Town meeting to approve this article. Donald Wilson also spoke in favor of the article.

Town Manager Richard Montuori stated that the project has been put out to bid. He urged Town Meeting to defeat this article. He feels strongly that sufficient renovation work can be accomplished with the \$1,600,000.00. The additional \$1,000,000.00 will be mainly used to cover the façade.

Heated discussion ensued.

Rep. O'Neill moved the question. Seconded. With ninety-two (92) in favor and seventy (70) opposed, the motion to end debate LOST.

Discussion continued.

Rep. Dampolo moved the question. Seconded. The motion to end debate CARRIED.

The motion as presented was put to a rising vote. With forty-nine (49) in favor and one hundred thirteen (113) opposed, the motion LOST.

ARTICLE 19

It was moved and seconded to accept the following streets as public ways in accordance with the layouts adopted by the Board of Selectmen and on file with the Town Clerk and to authorize the Board of Selectmen to accept gifts of easements for said public ways and associated easements for drainage or other purposes, and further to allocate sufficient funds for the widening, reconstruction, repairing, and/or paving of said streets;

STREETS

Approximate Length

Broadway St	Blackstone St to Dead End	200
Fourth Ave	Newbury St to Kingston St	710
Fuller Rd	Cottage St to Columbia Rd	250
Jefferson St	Fourth Ave to Dead End	560
Newbury St	Fourth Ave to Dead End	610
Perreault Ave	215ft W. of Middlesex Tpk. to Dead End	400
Plenty St	Friendship Northerly to Dead End	260
Plenty St	Stewart St. to Northerly to Dead End	100
South St.	Rhodes St Westerly to Dead End	890
Third Ave	Vincent St to Dead End	112
Tremont Rd.	Marshall St to Dead End	355
Wedgemere St.	McDonough Way to Dead End	270
Woodcliff Dr.	Fourth Ave to Dead End	422
Naushon Rd	Albion Rd to Dead End	270
Olney St	Connolly Rd to End of Layout	1250
Woodland Rd	Shawsheen Rd to Riverside Rd	380

The Finance Committee concurred. The Planning Board recommended this article on the condition that all signoffs for the streets have been received.

The Street Acceptance Committee concurred. All signoffs have been received.

Rep. Moreira moved the question. Seconded. The motion to end debate CARRIED.

The motion as presented CARRIED.

ARTICLE 25

It was moved and seconded to accept Francis Road as a public way, except for the sidewalk and bus stop shelter areas lying outside the right of way and bordering the parcel at 464 Middlesex Turnpike, in accordance with the layout adopted by the Selectmen and on file with the Town Clerk and to authorize the Board of Selectmen to accept gifts of easements for said public way and any associated easements for drainage or other purposes.

The Finance Committee concurred. The Street Acceptance Committee concurred.

Planning Board Chairman Pasciuto gave the report of the meeting of April 22, 2002. The Board moved to recommend that Francis Road be accepted. It has been completed per the associated subdivision plans and has been fully inspected by the Town Engineering Office.

The motion as presented CARRIED.

ARTICLE 26

It was moved and seconded to accept Frankay Lane as a public way in accordance with the layout adopted by the Selectmen and on file with the Town Clerk and to authorize the Board of Selectmen to accept gifts of easements for said public way and any associated easements for drainage or other purposes.

The Finance Committee concurred. The Street Acceptance Committee concurred.

Planning Board Chairman Pasciuto gave the report of the meeting of April 22, 2002. The Board moved to recommend that Frankay Lane be accepted. It has been completed per the associated subdivision plans and has been fully inspected by the Town Engineering Office.

The motion as presented CARRIED.

ARTICLE 27

It was moved and seconded to accept Westmeadow Lane as a public way in accordance with the layout adopted by the Selectmen and on file with the Town Clerk and to authorize the Board of Selectmen to accept gifts of easements for said public way and any associated easements for drainage or other purposes.

The Finance Committee concurred. The Street Acceptance Committee concurred.

Planning Board Chairman Pasciuto gave the report of the meeting of April 22, 2002. The Board moved to recommend that Westmeadow Lane be accepted. It has been completed per the associated subdivision plans and has been fully inspected by the Town Engineering Office.

Rep. Giovino stated that there was a homeowners association on that street and questioned if accepting the easements for drainage would mean that the Town would be responsible for the drainage and not the Association.

Town Counsel stated that this would allow the Town to do emergency work but that then the Town could sue the Association for reimbursement should the need arise.

Rep. Dampolo moved the question. Seconded. The motion to end debate CARRIED.

The motion to accept Westmeadow Lane as stated CARRIED.

ARTICLE 24

It was moved, seconded and VOTED to move Article 24 to the last order of business at this Town Meeting.

ARTICLE 32

It was moved and seconded to amend the Zoning By-Law by rezoning from a Rural Residential District to a General Business District a parcel of land located at 31 Boston Road in said Town bounded and described as follows:

Beginning at a point on Boston Road at the southeasterly corner of the premises thence bounded by a course:

S 85°18'20" W, 360.25' thence;
N 12°37'40"W, 106.80' thence;
N 28°53'13"E, 162.43' thence;
N 89°05'04"E, 267.51' thence;
by a curved line 154.64' thence;
S 15°13'45"E, 70.64' to the point of beginning

Said property contains 1.78 acres.

The Finance Committee recommended.

Planning Board Chairman Pasciuto gave the report of the public hearing held on April 22, 2002. Due notice was given in the Billerica Minuteman on April 2 and April 11, 2002. On a positive motion to recommend, the Board voted four (4) in favor and three (3) opposed. Therefore, the Board recommended this article to Town Meeting. With the existing general business development in the area and the possibility of a large housing development abutting the site, rezoning to a general business district would not be detrimental to the area.

Attorney James Dangora, Jr., Counsel for the petitioners, came forward to present the article.

Much discussion ensued.

Rep. Revane moved the question. Seconded. The motion to end debate CARRIED.

The motion as presented was put to a rising vote. With sixty-three (63) voting in favor and ninety-one (91) opposed, the motion LOST.

ARTICLE 33

It was moved and seconded to amend the Zoning By-laws by re-zoning to an Elderly Housing Overlay District a parcel of land located on Allen Road and Webb Brook Road in said Town, owned by P & D Realty Trust and Webb Brook Realty Trust, Assessor's Map 71, Parcels 12-1 and 12-6; bounded and described as follows: Parcel A and Lot 5 on a plan entitled "Rezoning Plan of Land in Billerica, Mass. (Middlesex County)" dated February 26, 2002, Noonan & McDowell, Inc., Registered Land Surveyors. Legal Description: A certain parcel of land in the Town of Billerica, in the County of Middlesex, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a point on the south side of Webb Brook Road at land now or formerly L. Alice Farmer, trustee of Webb Brook Road Realty Trust; thence

N80-30-11E One hundred seventy-two and 52/100 feet (172.52') to a point of curvature; thence

Northeasterly Along a curve to the left having a radius of one thousand three hundred twenty-eight and 51/100 feet (1,328.51') and a length of forty-eight and

69/100 feet (48.69') to a point. Said last two courses are along the southerly sideline of Webb Brook Road; thence

S09-21-44E Two hundred one and 00/100 feet (201.00') to a point; thence

S85-39-28E One hundred eighty and 00/100 feet (180.00') to a point. Said last two courses are by land now or formerly Howard Allgaier, Trustee of A. C. Realty Trust; thence

S26-47-59E One hundred seventy-five and 25/100 feet (175.25') to a point. Said last course by land now or formerly Todd D. & Shellie R. Bertolami; thence

S31-47-41E One hundred eighty and 25/100 feet (180.25') to a point; thence

N52-28-00E Two hundred thirty and 00/100 feet (230.00') to a point on the westerly sideline of Allen Road. Said last two courses by land now or formerly Riverbank Construction, Inc.; thence

S36-18-49E Forty and 73/100 feet (40.73') to a point of curvature; thence

Southeasterly Along a curve to the left having a radius of five hundred sixty and 00/100 feet (560.00') and a length of one hundred fifty-eight and 67/100 feet (158.67') to a point of tangency; thence

S52-32-52E One hundred thirteen and 77/100 feet (113.77') to an angle point; thence

S49-19-52E Six and 11/100 feet (6.11') to land now or formerly George Allen & Son Construction, Inc. Said last four courses are along the westerly sideline of Allen Road; thence

S29-59-03W Two hundred forty-four and 64/100 feet (244.64') to a point; thence

S84-09-42E Zero and 27/100 feet (00.27') to a point; thence

S83-17-33E One hundred eighteen and 29/100 feet (118.29') to a point; thence

S83-13-29E One hundred fifty-five and 67/100 feet (155.67') to a point on a private way. Said last four courses by land now or formerly George Allen & Son Construction, Inc.; thence

S03-20-40W Two hundred fifty-five and 62/100 feet (255.62') to a point. Said last course by a private way and land now or formerly Debert & Faye E. Gayle and Renee D. Arone & Eric L. Powell, Jr.; thence

S03-20-58W One hundred fifty-six and 61/100 feet (156.61') to a point; thence

S07-03-22W Seventy and 63/100 feet (70.63') to a point on a private way. Said last two courses by land now or formerly Renee D. Arone & Eric L. Powell, Jr.; thence

N87-51-54W One hundred forty-five and 52/100 feet (145.52') to an angle point; thence

N76-28-21W Two hundred twenty-six and 20/100 feet (226.20') to a point. Said last two courses by the northerly sideline of a private way; thence

S13-39-37W Three hundred fifty-four and 31/100 (354.31') to a point. Said last course by the westerly sideline of a private way and land now or formerly Jeremiah F. Kelliher; thence

N63-31-16W Fifty-three and 43/100 feet (53.43') to a point; thence

N61-44-36W Forty-five and 98/100 feet (45.98') to a point. Said last two courses by land now or formerly Telemachus A. & George A. Demoulas, Trustees of Towne Shopping Center Realty Trust; thence

- N62-20-16W One hundred thirty-nine and 29/100 feet (139.29') to a point. Said last course by land now or formerly Telemachus A. & George A. Demoulas, Trustees of Towne Shopping Center Realty Trust; and Valley Properties, Inc.; thence
- N64-39-30W Ninety-five and 25/100 feet (95.25') to a point; thence
- N61-07-30W Sixty-seven and 69/100 feet (67.69') to a point; thence
- N63-20-37W Seventy-two and 52/100 feet (72.52') to land now or formerly Philip Corey Farmer. Said last three courses by land now or formerly Valley Properties, Inc.; thence
- N23-02-12E One hundred fifty-three and 89/100 feet (153.89') to a point. Said last course by land now or formerly Philip Corey Farmer and Karen M. Farmer, Trustee of Dew Farm Realty Trust; thence
- N24-24-36E Four hundred thirty-nine and 14/100 feet (439.14') to a point; thence
- N73-47-34W Three hundred twenty-four and 00/100 feet (324.00') to a point; thence
- N45-32-04W One hundred fifty-eight and 19/100 feet (158.19') to a point; thence
- N41-57-12W One hundred twenty-nine and 81/100 feet (129.81') to land now or formerly C. Alice Farmer, Trustee of Webb Brook Road Realty Trust. Said last four courses by land now or formerly Karen M. Farmer, Trustee of Dew Farm Realty Trust; thence
- N00-41-37E Five hundred nineteen and 18/100 feet (519.18') to the point of beginning. Said last course by land now or formerly C. Alice Farmer, Trustee of Webb Brook Road Realty Trust.

The above described parcel of land contains 21.41 Acres, more or less, and is more particularly shown as Lot 5 and Parcel A on plan of land entitled "Rezoning Plan of Land in Billerica, Massachusetts, Middlesex County, dated: February 26, 2002, by: Noonan & McDowell, Inc., 25 Bridge Street, Suite 6, Billerica, Massachusetts."

The Finance Committee concurred.

Planning Board Chairman Pasciuto gave the report of the public hearing held on April 22, 2002. Due notice was given in the Billerica Minuteman on April 4 and April 11, 2002. On a positive motion to recommend, the Board voted two (2) in favor and five (5) opposed. The Board concluded that although the site is close to Boston Road, it is not easily accessible to shopping or services. The Board did not recommend the approval of this article.

Attorney Stephen Lentine, Counsel for the petitioners, presented the Article.

Several Representatives spoke against this rezoning citing traffic on Webb Brook Road, Allen Road and Boston Road, the proximity to wetlands and the gas line.

Rep. O'Neill moved the question. Seconded. The motion to end debate CARRIED.

A rising vote was taken on the main motion. With eighty (80) in favor and sixty-nine (69) opposed, the motion LOST.

Rep. Morrissey moved to reconsider this article. She stated that rejecting this rezoning could open the Town for another Comprehensive Plan. That would allow the developer to by-pass Town boards and the Town would have no control. With elderly housing, the Town would retain some controls.

Discussion ensued.

Rep. Cavicchio moved the question. Seconded. The motion to end debate CARRIED.

Reconsideration was put to a rising vote. With one hundred two (102) in favor and thirty-seven (37) opposed, reconsideration PASSED.

Much discussion ensued with several Representatives taking issue with passing an article because of the threat of something else.

Rep. Conway moved the question. Seconded. The motion to end debate CARRIED.

The motion to re-zone this parcel of land was put to a rising vote. With one hundred sixteen (116) voting in favor and thirty-eight (38) opposed, the re-zoning CARRIED.

It was moved and seconded to reconsider the vote taken. Reconsideration LOST.

Rep. Moreira moved to adjourn until Thursday evening at 7:30 p.m. Seconded. Motion CARRIED.

The third session of the Annual Spring Town Meeting stood adjourned at 10:30 p.m.

A True Copy

ATTEST:

S/Shirley E. Schult

Shirley E. Schult, CMC, CMMC, Town Clerk

**ANNUAL SPRING TOWN MEETING
MAURICE A. BUCK MEMORIAL AUDITORIUM
FOURTH SESSION – MAY 16, 2002**

A quorum count was called. With one hundred twenty-nine (129) Town Meeting Members present, the fourth session of the Annual Spring Town Meeting was declared in session at 7:36 p.m.

Nancy Smith, Chairperson of the Warrant Action Committee moved to accept the report of the Committee as submitted. Seconded. The motion to accept the report CARRIED.

Marc Lally of the Commercial Wireless Communication Facilities Review Committee gave the report of that Committee. It was moved, seconded and VOTED to accept the report as read.

ARTICLE 18

It was moved and seconded to continue the Commercial Wireless Communication Facilities Review Committee, created by Article 49 of the 1999 Annual Spring Town Meeting, as a permanent committee renamed The Communications Committee and to further vote to amend Article 2 of the General By-Laws by adding a new section 41 to read as follows:

41. Communications Committee

41.1 It shall be the duty of the Communications Committee to study, create and recommend a comprehensive telecommunications right-of-way management by-law for both underground and aerial locations. Such recommendations shall be made to the 2004 Annual Spring Town Meeting.

41.2 It shall further be the duty of the Communications Committee, once the said by-law is in place, to review the rights-of-way by-laws making recommendations for updates, insure the maintenance of public safety, insure that the rights-of-way are used in an orderly manner and insure the equitable treatment of all users. The committee shall study management issues such as performance bonds, dedication of conduits for municipal and future use, possible compensation for the use of the right-of-ways, co-location and surplus capacity set-aside agreements.

41.3 The committee shall consist of nine (9) members appointed by the Board of Selectmen for three year terms, so arranged that as nearly an equal number of such terms shall expire each year.

The Finance Committee recommended. The Selectmen recommended. The Rules Committee recommended.

The motion as presented CARRIED.

ARTICLE 20

It was moved and seconded to authorize the Selectmen to grant easements to the Commonwealth of Massachusetts on certain parcels of land along Treble Cove Road as shown on the plan in Appendix D (of the Warrant booklet) in connection with the Route 3 reconstruction project.

The Finance Committee recommended. The Selectmen supported this article.

Town Manager Montuori explained the article. Some of the easements will be permanent and others for the period of construction only. He indicated that there are plans for traffic lights at the Treble Cove Road/River Street area.

Rep. Cavicchio moved the question. Seconded. The motion to end debate CARRIED.

The motion as presented CARRIED unanimously.

ARTICLE 21

It was moved and seconded to amend Article VIII Public Utilities Section 1. Water of the General By-laws by deleting subsection 1.6 in its entirety.

The Finance Committee concurred. The Rules Committee recommended. The Selectmen recommended.

The motion as presented CARRIED.

ARTICLE 22

It was moved and seconded to amend Article VIII Public Utilities Section 1. Water of the General By-laws by adding the following new Subsection 4:

4. Fines

- 4.1 The Board of Selectmen shall have the authority to establish fines for violations of the DPW Water Division Rules and Regulations.
- 4.2 Fines established by the Board of Selectmen shall not exceed one hundred dollars per violation per day.

The Finance Committee concurred. The Rules Committee recommended. The Selectmen recommended.

Town Manager Montuori explained the article.

Slight discussion ensued.

Selectman Correnti moved to amend the article by adding the words "This By-law may also be enforced by the non-criminal procedures allowed by Mass. Gen. Laws c. 40 subsection 21D" at the end of section 4.2. Seconded.

Rep. O'Neill moved the question. Seconded. The motion to end debate CARRIED.

The amendment CARRIED.

Rep. Hadley moved the question on the main motion. Seconded. The motion to end debate CARRIED.

The main motion with the amendment attached thereto CARRIED.

ARTICLE 23

It was moved and seconded to amend the General By-laws - Article VIII Section 2 Sewers - by adding Subsection 2.3.

Subsection 2.3: Illegal Connections

Any person or entity discovered to have illegally connected to Town Sewer shall be required to comply with the following requirements:

- A. Apply for, with remittance, the appropriate Town of Billerica Sewer Connection Permit.
- B. Pay a three hundred dollar (\$300.00) fine to the Town of Billerica within thirty (30) days of discovery. This by-law may also be enforced by the non-criminal procedure allowed by Mass. Gen. Laws c.40, §21D.
- C. Reimburse the Town of Billerica for all unpaid sewer use. The sewer use charge shall be calculated by the Water Billing Department and will commence with the date sixty (60) days after Town Sewer was first made reasonably available to the illegally connected building(s) using the most current sewer rates.
- D. The Town of Billerica will extend an amnesty period to those persons or entities currently connected without permits. This amnesty period shall commence July 1, 2002 and shall be in effect for one calendar year. Any person or entity coming forward during this amnesty period will be subject to the following requirements:
 1. Apply for, with remittance, the appropriate Town of Billerica Sewer Connection permit and reimburse the Town of Billerica for the previous calendar year's unpaid sewer use based upon the previous years water use charges and most current sewer rates.
 2. In the event of unusual circumstances, the Board of Selectmen may waive, on a case-by-case basis, the requirements (B) and (C) as listed above.

The Finance Committee concurred. The Rules Committee recommended.

Rep. Doyle moved the question. Seconded. The motion to end debate CARRIED.

The motion as presented CARRIED.

ARTICLE 28

It was moved and seconded to dissolve the Town's Industrial Development Finance Authority effective June 30, 2002. Thereafter, the Board of Selectmen will act on behalf of the Town on all matters of concern with the Industrial Development Finance Authority.

The Finance Committee concurred. The Rules Committee recommended.

Rep. Hoar, Chairman of the Committee, explained the reasons why this Committee is no longer needed.

The motion to dissolve the Town's Industrial Development Finance Authority CARRIED unanimously.

ARTICLE 29

The Moderator stepped down and Deputy Moderator Moreira assumed the Chair. This article was submitted by the Moderator.

It was moved and seconded to eliminate the following Committees: Billerica Residents Monitoring Committee; Civic and Convention Center Commission; Mapping Commission; Ombudsmen Committee; Septage Disposal Study Committee and the Development and Industrial Commission.

The Finance Committee recommended. The Rules Committee recommended this article with the stipulation that the question be divided. It was the consensus of the Body to divide the question.

Moderator Sullivan explained the article.

The motion to eliminate the Billerica Residents Employment Monitoring Committee CARRIED.

The motion to eliminate the Civic and Convention Center Commission CARRIED.

The motion to eliminate the Mapping Commission CARRIED.

The motion to eliminate the Ombudsmen Committee CARRIED.

The motion to eliminate the Development and Industrial Commission CARRIED.

The motion to eliminate the Septage Disposal Study Committee LOST.

ARTICLE 24

It was moved and seconded to amend Article 9 of the General By-laws (Building Department) by adding a new Section 12 Inspector of Wires to read as follows: (Substitute Main Motion)

- 12. Inspector of Wires
 - 12.1 The Inspector of Wires shall be appointed by the town Manager pursuant to M.G.L. chapter 166, Section 32.
 - 12.2 The Inspector of Wires shall have the power to perform the duties and enforce the provisions of M.G.L. Chapter 166 and the State Electrical Code and shall supervise every wire over or under streets or buildings in Town and every wire within or supplied from buildings and structures subject to the provisions of M.G.L., Chapter 143 in the State Building Code except for those exceptions found in M.G.L., Chapter 166, Section 32.

The Finance Committee concurred. The Rules Committee recommended this substitute motion.

The motion on the substitute main motion CARRIED unanimously.

Deputy Moderator Moreira moved to ratify and affirm all action taken at the 2002 Annual Spring Town Meeting. Seconded. The motion CARRIED.

It was moved, seconded and VOTED to dissolve the Annual Spring Town Meeting. The 2002 Annual Spring Town Meeting was declared dissolved at 8:45 p.m.

A True Copy

ATTEST:

S/Shirley E. Schult

Shirley E. Schult, CMC, CMMC, Town Clerk

WARRANT FOR SPECIAL TOWN MEETING

You are hereby authorized and required to notify and warn the inhabitants of said Town of Billerica qualified by law to vote in elections and Town Affairs, to meet at the Maurice A. Buck Memorial Auditorium, Town Hall, 365 Boston Road, Billerica, MA, Thursday, June 6, 2002 at 7:30 p.m. and subsequent Tuesdays and Thursdays until all of the business in the Warrant shall have been acted upon, then and there to vote on the following Articles:

ARTICLE 1

To see if the Town will vote to appropriate the sum of \$3,387,135, for the construction, engineering and design and equipping of a Water Treatment Facility and the acquisition of land for this purposes by purchase, gift, Eminent Domain or otherwise, such appropriation to include, without limitation, all cost thereof as defined in Section 1, of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow the sum of money appropriated hereunder and issue bonds or notes therefore under Chapter 44, of the General Laws and/or Chapter 29C of the General Laws and/or any other enabling law; that such bonds or notes shall be general obligations of the Town, unless the Treasurer with the approval of the Selectmen determines that they should be issued as limited obligations, and may be secured by local system revenues as defined in Section 1 of Chapter 29C; and the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust (hereafter "Trust") established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contact with the Trust and the Department of Environmental Protection, to expend all funds available for the project; or act in relation thereto.

Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 2

To see if the town will vote to transfer from available funds the sum of \$40,000 to fund various FY 2002 budget line items; or act in relation thereto.

Transfer From:

Town Temporary Borrowing - \$40,000

Transfer To:

Veteran's Benefits

Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 3

To see if the Town will vote to accept the following streets as public ways in accordance with the layouts adopted by the Board of Selectmen and on file with the Town Clerk and to authorize the Board of Selectmen to accept gifts of easements for said public ways and associated easements for drainage or other purposes, and further to allocate sufficient funds for the widening, reconstruction, repairing and/or paving of said streets; or act in relation thereto.

STREET

Bolton Road from Beech Street to Mallard Street

APPROXIMATE LENGTH

265 Feet

Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 4

To see if the Town will vote, pursuant to Mass. General Laws c.40, Section 3, to authorize the Board of Selectmen to sell, transfer, or donate the following parcels of land owned by the Town of Billerica for use for affordable housing:

Pond Street – Plate 24 – 57 and 24 – 19

Plenty Street – Plate 78, Parcel 72;

or act in relation thereto.

Submitted by the Town Manager authorized by the Board of Selectmen

ARTICLE 5

To see if the Town will vote to fix the drainage problem and repave Theresa Avenue, Crooked Springs Road and Michael Road. As you know, these roads have not been repaved since 1977 and this neighborhood has had a serious drainage problem for several years, which has torn up our streets and has caused gullies, potholes and sink holes; or act in relation thereto.

Submitted by Claire Upton, Petitioner and Messrs. Parker, Cunniff, Wenger, Frost and Cucinotti and Madames Osgood, Parker, Cilley and Frost.

ARTICLE 6

To see if the Town will vote to require that the Town's new drinking water treatment plant be built on the site of the existing water treatment plant at 250 Boston Road or on an adjacent site between Bridge Street and Treble Cove Road; or act in relation thereto.

Submitted by Joseph E. Silva, Petitioner and Messrs. Gilligan, Massey, DeCesaro, Dampolo, Magnan and Closs and Madames Silva, Massey, DeCesaro and DeCesaro.

And you are hereby directed to serve this Warrant by posting true and attested copies thereof, one copy at the Town Hall, one copy at the Billerica Public Library, one copy at the Billerica Police Station, one copy at Michael's Bakery, one copy at the Pinehurst Post Office, one copy at the Center Post Office, Boston Road, one copy at Market Basket, Towne Plaza, Boston Road, one copy at the West Billerica Fire Station, one copy at the Nutting Lake Post Office, one copy at the Billerica Walk-in Medical Center, Boston Road, one copy at the Ninety-Nine Restaurant, Lexington Road, one copy at the Pinehurst Fire Station, one copy at the East Billerica Fire Station, one copy at the North Billerica Post Office and one copy at the North Billerica Fire Station.

Given under our hands this 22nd day of May, 2002.

BOARD OF SELECTMEN

S/James F. O'Donnell, Jr., Chairman

S/Francis M. Fraine, Vice-Chairman

S/Robert M. Correnti, Secretary

S/Ellen Day Rawlings

S/Michael S. Rosa

May 22, 2002

Ms. Evelyn M. Haines
Assistant Town Manager
Town Hall
365 Boston Road
Billerica, MA 01821

Dear Ms. Haines:

I have posted the Warrant for the Special Town Meeting to be held on Thursday, June 6, 2002 at 7:30 p.m. at the Maurice A. Buck Memorial Auditorium, 365 Boston Road, Billerica MA at the following locations:

Town Hall
Billerica Police Station

Billerica Public Library
Michael's Bakery

Pinehurst Post Office	Center Post Office, Boston Road
Market Basket, Towne Plaza, Boston Road	West Billerica Fire Station
Nutting Lake Post Office	Pinehurst Fire Station
East Billerica Fire Station	North Billerica Post Office
Ninety-Nine Restaurant, Lexington Road	North Billerica Fire Station
Billerica Walk-In Medical Medical Center, Boston Road	

S/Al Melaragni, Constable

**SPECIAL TOWN MEETING
MAURICE A. BUCK MEMORIAL AUDITORIUM
FIRST SESSION – JUNE 6, 2002**

Scott Winchell, Stephen Hart, Marie O'Loughlin and Oren Hunt, Jr. were appointed tellers by Moderator Sullivan and sworn in by the Town Clerk.

A quorum count was called. With one hundred forty-five (145) Town Meeting Members present, the Special Town Meeting was declared in session at 7:39 p.m.

It was moved, seconded and VOTED to accept the Warrant as duly posted by the Constable.

It was moved, seconded and VOTED to dispense with the reading of the Warrant.

It was moved, seconded and VOTED to move Article 6 to the first order of business

ARTICLE 6

Moderator Sullivan introduced Town Counsel Joan Langram who spoke on the Article. Town Counsel advised the Body that this article is not properly before the Town Meeting. The article seeks to direct the Legislative Branch of Government to direct the Executive Branch to carry out an action and it is outside the jurisdiction of Town Meeting to do so. Therefore Town Meeting should not act upon the article. A sense of the meeting could be taken.

Moderator Sullivan stated that in fairness to the petitioners, she would allow them to present their position and then the Town Manager would be allowed time to make a presentation. She would then take a sense of the meeting.

Kevin Gilligan, petitioner, spoke in favor of the article.

Town Manager Montuori spoke in opposition to the article and to changing the scope of the work that has already been accomplished.

The Moderator then moved the following: "that a sense of the Town Meeting be taken to be given to the Executive Branch (Selectmen) regarding the town's new drinking water

treatment plant. The Town recommends the plant be built on the side of the existing water treatment plant at 250 Boston Road or on an adjacent site between Bridge Street and Treble Cove Road”. Seconded.

A standing vote was taken. With twenty-one (21) voting in favor and one hundred seventeen (117) opposed, the motion LOST.

It was moved, seconded and VOTED to dismiss Article 6.

ARTICLE 1

It was moved and seconded that the Town appropriate the sum of \$3,387,135, for the construction, engineering and design and equipping of a Water Treatment Facility and the acquisition of land for this purposes by purchase, gift, Eminent Domain or otherwise, such appropriation to include, without limitation, all cost thereof as defined in Section 1, of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow the sum of money appropriated hereunder and issue bonds or notes therefore under Chapter 44, of the General Laws and/or Chapter 29C of the General Laws and/or any other enabling law; that such bonds or notes shall be general obligations of the Town, unless the Treasurer with the approval of the Selectmen determines that they should be issued as limited obligations, and may be secured by local system revenues as defined in Section 1 of Chapter 29C; and the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust (hereafter “Trust”) established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contact with the Trust and the Department of Environmental Protection, to expend all funds available for the project.

The Finance Committee voted ten (10) in favor and zero (0) opposed to recommend this article.

Town Manager Montuori explained the Article. This figure represents a 10% contingency required by the State in order to receive a zero interest loan for the \$36,000,000.00 already approved for construction of a new water treatment plant.

Rep. Wetzel moved to amend the motion by adding the following: “and allow for peer review of (the) treatment plan before construction begins.” Seconded.

Rep. Dampolo moved the question on the amendment. Seconded. The motion to end debate CARRIED.

The amendment LOST.

Moderate discussion continued on the main motion.

Rep. McLaughlin moved the question. Seconded. With ninety-one (91) in favor and fifty-five (55) opposed, there was not the necessary 2/3 rd vote and discussion continued.

Slight discussion ensued on the intake pipe.

Rep. Revane moved the question. Seconded. The motion to end debate CARRIED.

The main motion was put to a rising vote. With one hundred thirty-eight (138) in favor and ten (10) opposed, the motion CARRIED.

ARTICLE 2

It was moved and seconded to transfer from available funds the sum of \$40,000 to fund FY 2002 budget line item as follows:

Transfer From:
Town Temporary Borrowing - \$40,000

Transfer To:
Veteran's Benefits

The Finance Committee concurred.

The motion CARRIED.

ARTICLE 3

It was moved and seconded to accept the following street as a public way in accordance with the layout adopted by the Board of Selectmen and on file with the Town Clerk and to authorize the Board of Selectmen to accept gifts of easements for said public way and associated easements for drainage or other purposes, and further to allocate sufficient funds for the widening, reconstruction, repairing and/or paving of said street.

<u>STREET</u>	<u>APPROXIMATE LENGTH</u>
Bolton Road from Beech Street to Mallard Street	265 Feet

The Finance Committee concurred. The Street Acceptance Committee recommended acceptance of this street. The Planning Board recommended.

The motion as presented CARRIED.

ARTICLE 4

It was moved and seconded that the Town vote, pursuant to Mass. General Laws c.40, Section 3, to authorize the Board of Selectmen to sell, transfer, or donate the following parcel of land owned by the Town of Billerica for use for affordable housing:

Plenty Street – Plate 78, Parcel 72;

The Finance Committee concurred.

The motion as presented CARRIED.

ARTICLE 5

It was moved and seconded to dismiss Article 5. The motion to dismiss CARRIED.

Deputy Moderator Moreira moved to ratify and affirm all action taken at this Special Town Meeting of June 6, 2002. Seconded. Motion CARRIED.

It was moved, seconded and VOTED to adjourn. The Special Town Meeting of June 6, 2002 was declared dissolved at 8:40 p.m.

A True Copy

ATTEST:

S/Shirley E. Schult

Shirley E. Schult, CMC, CMMC, Town Clerk

BOARD OF SELECTMEN AND TOWN MANAGER

Board of Selectmen and Town Manager

It is with great pleasure that the Board of Selectmen and the Town Manager present their Annual Report for Fiscal Year 2002. Fiscal Year 2002 was a continuation of the success of the previous Fiscal Years as infrastructure projects, finances and services to the residents improved.

Infrastructure Improvements

Sewer installation and roadway paving were once again the major projects undertaken by the Town. Sewer Contracts 30B, 31A and 31B were completed in the Victory Park, Pines, and Content Brook areas of Town. A total of 8.2 miles of sewer was installed during Fiscal Year 2002. The sewer installation design was completed for the \$13 million River Pines area and work should begin in the Fall of 2002. Roadway improvements were completed in the Tower Farm area and other areas of Town providing 11 miles of newly paved roads. Drainage work in the Lake area was also completed in preparation of paving this area of Town during the summer of 2002.

The Baldwin Road sidewalk design was completed and construction began at the end of the Fiscal Year. Work should be 100% complete in the Spring of 2003. With the completion of the design, work began for the improvements and installation of traffic signals at the intersection of Nashua Road and Treble Cove Roads. Work on this project should be completed in the spring of 2003. Funding for these projects came from Free Cash totaling \$1,030,000.

Construction of the new Water Treatment Plant was delayed due to permitting problems with the costs of the project exceeding the amount budgeted. Proper funding and permits were secured and bids for the project will be opened in May 2003. Construction is scheduled to begin in July 2003. The Commonwealth of Massachusetts has committed

up to \$36.5 million in a zero percent interest loan for the project saving water rate payers interest costs totaling \$18 million dollars.

The Design to renovate the “Old Library “ for a new Senior Center was completed and work will begin in Fiscal Year 2003. The Town was awarded a \$600,000 grant from the Commonwealth of Massachusetts to assist in funding this \$1.4 million dollar project. Town Meeting approved the transfer of \$1,000,000 from Free Cash to assist in funding this project. Design on the Howe Museum code improvement project was also completed and work should begin in Fiscal 2003. This \$225,000 project was also funded from Free Cash.

The Recreation Department started and completed several major projects in the Community during 2002. The completion of the reconstruction of the Kohlraush Park was one of the many highlights for the department. The restoration of this historic park has been a model for neighborhood parks in our community. The project received an award from the Massachusetts Recreation and Parks Association for outstanding design. The Commonwealth of Massachusetts provided a \$250,000 grant to assist in the funding of this project. Another State funded recreation project was the Water Playground at Manning State Park. The Commonwealth of Massachusetts provided \$300,000 to construct the water park and restrooms to be operated by the Recreation Department. The project was completed in Fiscal Year 2002 and was a popular facility during the summer. Construction began on the Marshall Middle School to build a new baseball and softball fields as well as a new soccer field. This project could not have been possible without the kind donation of \$50,000 from Billerica native Tom Glavine. His generosity on this project is greatly appreciated. The Town funded the remaining cost of the project using \$330,000 from Free Cash. Work should be complete in Fiscal 2003. Work also was completed at Vietnams Veterans Park for a new entrance, new road, new children’s playground and the installation of utilities to the fields.

The Town also made improvements to local historic sites. A new flagpole was installed at the Talbot Oval. The flagpole is 100 feet tall resembling the original pole installed when the Talbot oval was constructed in 1894. Also a new Revolutionary War Memorial was constructed and a new bronze plaque was dedicated on the Town Common.

Town Finances

Once again the Town’s finances were strong at the close of Fiscal Year 2002. The Town maintained needed services to the residents through its operating budget, which totaled \$90 million, an increase of \$5.5 million dollars over the previous Fiscal Year. Funding the operating budget came from an increase in the tax levy, state aid and other local revenues. The Capital Budget, which totaled \$8 million, funded infrastructure projects through borrowing, free cash, raising and appropriating revenue, as well as utilizing available funds. The Town also increased its reserves by placing funds into the Stabilization Fund and Land Fund. \$1 million was added to the Stabilization Fund for future use during an economic downturn or emergency and \$678,000 was added to the Land fund to be used in the future to purchase land.

In November of Fiscal Year 2002 the Town received a two step increase in its Bond Rating from both Moody's and Standard and Poors. These financial agencies cited the Town's strong financial polices and practices, strong reserves such as the Stabilization Fund and the positive outlook for the future of Town.

Finances will continue to be a priority in the Town as we balance the needed services residents deserve and expect with the revenues provide to us both locally and from the State.

In 2002, Robert M. Correnti was re-elected and Francis M. Fraine was elected to the Board replacing Peter M. Coppinger, who chose not to run for re-election. We would like to thank Mr. Coppinger for his service and dedication as a Selectmen. The Board reorganized electing James F. O'Donnell, Jr., Chairman, Frances M. Fraine, Vice Chairman and Robert M. Correnti, Secretary.

Although Fiscal Year 2002 had many accomplishments and was a year with many improvements to our community, the year cannot be recounted without remembering the great tragedy and loss to our country on September 11, 2001. The community will always remember those who lost their lives and those who worked bravely and heroically to save and help those injured. We felt the loss with the death of Jessica Sachs, a passenger aboard one of the planes flown into the World Trade Center building.

The Board of Selectmen and Town Manager would like to thank all Department Heads and Town Employees for their continued service and dedication to the residents of Billerica. Also, we would like to thank the many volunteers, appointed and elected public officials, who helped make Fiscal Year 2002 successful.

Respectfully submitted,
James F. O'Donnell, Jr., Chairman
Francis M. Fraine, Vice Chairman
Robert M. Correnti, Secretary
Ellen Day Rawlings
Michael S. Rosa

Richard A. Montuori, Town Manager
Evelyn M. Haines, Assistant Town Manager

ACCOUNTING DEPARTMENT

Mary Aulson retired from her position as Administrative Head Clerk in March 2002. Mary joined the Town in April 1989 and we thank her for her many years of service to the Town. Virginia Picardi was promoted from Principal Clerk to Administrative Head Clerk upon Mary's retirement. Due to budget constraints the Principal Clerk position remains vacant.

The following reports reflect the financial position of the Town of Billerica as of June 30, 2002.

Sincerely,
Paul C Watson, Town Accountant

**GENERAL FUND – BUDGETARY BASIS
STATEMENT OF REVENUES AND EXPENDITURES
BUDGET AND ACTUAL
FISCAL YEAR ENDED JUNE 30, 2002**

	Budget	Actual	Variance Favorable (Unfavorable)
<u>REVENUES:</u>			
Real estate and personal property taxes, net of reserve for abatements	\$58,310,033	\$58,758,673	\$ 448,640
Tax title and foreclosure	0	1,330,695	1,330,695
Excise taxes	4,650,000	4,819,846	169,846
User charges	5,136,600	4,767,523	(369,077)
Intergovernmental	23,456,234	24,507,998	1,051,764
Departmental fees, fines and charges	2,880,900	2,780,422	(100,478)
Interest	<u>900,000</u>	<u>632,491</u>	<u>(267,509)</u>
TOTAL REVENUES	<u>95,333,767</u>	<u>97,597,648</u>	<u>2,263,881</u>
<u>EXPENDITURES:</u>			
General Government	3,240,226	3,040,294	199,932
Public Safety	12,655,544	12,276,562	378,982
Education	48,604,188	48,490,500	113,688
Public Works	11,817,417	10,626,994	1,190,423
Human Services	932,557	902,743	29,814
Culture and Recreation	1,327,269	1,302,084	25,185
Employee benefits	6,290,896	6,212,430	78,466
Pension	2,460,829	2,460,829	0
Other expenditures	1,298,157	1,045,131	253,026
State and county charges	1,091,720	1,315,882	(224,162)
Debt Service - principal	2,963,738	2,963,738	0
Debt Service - interest	<u>2,651,226</u>	<u>2,576,609</u>	<u>74,617</u>
TOTAL EXPENDITURES	<u>95,333,767</u>	<u>93,213,796</u>	<u>2,119,971</u>

**GENERAL FUND – BUDGETARY BASIS
STATEMENT OF REVENUES AND EXPENDITURES
BUDGET AND ACTUAL
FISCAL YEAR ENDED JUNE 30, 2002**

	Budget	Actual	Variance Favorable (Unfavorable)
EXCESS OF REVENUES OVER EXPENDITURES	<u>0</u>	<u>4,383,852</u>	<u>4,383,852</u>
OTHER FINANCING SOURCES (USES):			
Use of unreserved fund balance	164,800	164,800	0
Transfers Out	<u>(7,737,104)</u>	<u>(7,737,104)</u>	0
TOTAL OTHER FINANCING SOURCES (USES)	<u>(7,572,304)</u>	<u>(7,572,304)</u>	0
EXCESS OF REVENUES AND OTHER FINANCING SOURCES (USES) OVER EXPENDITURE	<u>0</u>	<u>\$(3,188,452)</u>	<u>\$(3,188,452)</u>

Combined Balance Sheet - All Fund Types and Account Group
June 30, 2002

	<u>Governmental Fund Types</u>			<u>Fiduciary Fund Types</u>	<u>Account Group</u> General Long-Term Obligations Group	(Memorandum only) <u>Combined Totals</u>
	<u>General</u>	<u>Special Revenue</u>	<u>Capital Projects</u>	<u>Trust and Agency</u>		
<u>ASSETS AND OTHER</u>						
<u>DEBITS</u>						
CASH AND SHORT-TERM INVESTMENTS	\$ 9,213,814	\$ 3,944,968	\$ 16,690,550	\$ 2,644,315	\$ -	\$ 32,493,647
INVESTMENTS				9,100,667		9,100,667
RECEIVABLES:						
Real estate taxes & Personal Property Tax title	1,183,413					1,183,413
Excise taxes	4,585,544					4,585,544
User Charges	1,122,426					1,122,426
Intergovernmental	689,325		1,281,915			689,325
						1,281,915
AMOUNTS TO BE PROVIDED FOR RETIREMENT OF LONG-TERM OBLIGATION					41,152,458	41,152,458
TOTAL ASSETS	\$ 16,794,522	\$ 3,944,968	\$ 17,972,465	\$ 11,744,982	\$ 41,152,458	\$ 91,609,395

<u>Governmental Fund Types</u>				<u>Fiduciary Fund Types</u>	<u>Account Group</u> General Long-Term Obligations Group	(Memorandum only) <u>Combined Totals</u>
	<u>General</u>	<u>Special Revenue</u>	<u>Capital Projects</u>	<u>Trust and Agency</u>		
<u>LIABILITIES AND FUND EQUITY</u>						
<u>LIABILITIES:</u>						
Warrants Payable	\$ 730,510	\$ 217,154	\$ 923,401	\$	\$	\$ 1,871,065
Accrued Payroll	387,903					387,903
Other liabilities	627,099					627,099
Reserve for abatements	6,053,607					6,053,607
Deferred revenues	1,297,103	93,092	578,141			1,968,336
Liab. due depositors				583,715	2,750,000	3,333,715
Bonds & notes payable			18,250,000		38,402,458	56,652,458
TOTAL LIABILITIES	9,096,222	310,246	19,751,542	583,715	41,152,458	70,894,183
<u>FUND EQUITY:</u>						
Encum & continuing appropriations	602,667					602,667
Nonexpend trusts				1,444,155		1,444,155
Stabilization				8,952,100		8,952,100
Unreserved	7,095,633	3,634,722	(1,779,077)	765,012		9,716,290
TOTAL FUND EQUITY	7,698,300	3,634,722	(1,779,077)	11,161,267	0	20,715,212
<u>TOTAL LIABILITIES AND FUND EQUITY</u>						
	\$ 16,794,522	\$ 3,944,968	\$ 17,972,465	\$ 11,744,982	\$ 41,152,458	\$ 91,609,395

Town of Billerica
Analysis of General Fund Expenditures
June 30, 2002

Dept.	Account Description	Final Budget	Subsidiary Expense	Current Encumb	Budgetary Exp	Excess (Deficit)
General Government						
122	Selectmen	71,892	71,847	40	71,887	5
123	Town Administrator	313,188	312,040	939	312,979	209
125	Systems Admin	470,905	469,721	0	469,721	1,184
129	Cable Advisory	525	0	0	0	525
131	Finance Committee	3,671	516	0	516	3,155
135	Accountant	182,659	168,303	800	169,103	13,556
141	Assessor	321,118	295,658	6,492	302,150	18,968
145	Treasurer	710,080	697,340	7,734	705,074	5,006
161	Clerk	206,300	185,395	740	186,135	20,165
162	Elections	47,272	37,739	0	37,739	9,533
163	Registrars	89,414	73,537	625	74,162	15,252
171	Conservation	133,787	109,253	0	109,253	24,534
175	Planning	111,032	109,690	0	109,690	1,342
176	Appeals Board	47,621	47,573	0	47,573	48
192	Town Hall	299,902	258,337	36,585	294,922	4,980
Total General Government		3,009,366	2,836,949	53,955	2,890,904	118,462
Dept Public Safety						
210	Police	5,826,488	5,610,286	19,741	5,630,027	196,461
220	Fire	5,587,947	5,519,158	11,787	5,530,945	57,002
220	Ambulance	596,877	566,300	1,106	567,406	29,471
241	Building	476,599	456,985	11,231	468,216	8,383
242	Weights/Measures	6,506	5,033	1,170	6,203	303
291	Civil Defense	29,307	27,591	1,716	29,307	0
292	Dog Officer	64,016	63,709	295	64,004	12
Total Public Safety		12,587,740	12,249,062	47,046	12,296,108	291,632
Public Works						
410	Engineering	400,803	389,852	0	389,852	10,951
421	DPW Admin	404,316	396,428	0	396,428	7,888
422	Highway	1,200,362	1,097,799	11,934	1,109,733	90,629
423	Snow and Sand	420,000	431,030	1,385	432,415	(12,415)
433	Solid Waste	2,806,175	2,618,137	188,038	2,806,175	0
441	Sewer	2,080,476	2,060,015	0	2,060,015	20,461
450	Water Department	2,558,459	2,471,931	32,651	2,504,582	53,877
491	Cemetery	547,390	529,177	160	529,337	18,053
492	Motor Equip	388,487	369,883	8,895	378,778	9,709
Total Public Works		10,806,468	10,364,252	243,063	10,607,315	199,153

Town of Billerica
Analysis of General Fund Expenditures
June 30, 2002

Human Services					
510	Board of Health	327,275	326,744	30	326,774 501
541	Council on Aging	185,856	173,919	0	173,919 11,937
543	Veterans	415,247	400,297	14,950	415,247 0
561	Handicap Commission	2,500	1,345	0	1,345 1,155
563	Housing Partnership	1,000	0	0	0 1,000
Total Human Services		931,878	902,305	14,980	917,285 14,593
Culture & Recreation					
610	Library	914,436	949,683	500	950,183 24,253
630	Recreation	351,171	351,126	0	351,126 45
690	Historical	600	577	0	577 23
Total Culture & Recreation		1,326,207	1,301,386	500	1,301,866 24,321
School					
300	School-Personnel	43,336,854	43,223,168	113,686	43,336,854 0
310	Shawsheen Regional	4,866,360	4,866,360	0	4,866,360 0
Total School		48,203,214	48,089,528	113,686	48,203,214 0
Employee Benefits					
910	7012 Town Group Insurance	2,425,271	2,425,132	0	2,425,132 139
910	7013 School Group Insurance	2,904,151	2,901,404	0	2,901,404 2,747
910	7020 Town Wkmans's Comp	145,181	139,802	0	139,802 5,379
910	7021 School Wkman's Comp	266,758	266,758	0	266,758 0
910	7030 Town Unemployment	23,000	18,342	0	18,342 4,658
910	7031 School Unemployment	15,000	15,000	0	15,000 0
910	7037 Comm. Start Plan	25,000	14,146	10,853	24,999 1
910	7042 Medicare Town	183,855	183,855	0	183,855 0
910	7043 Medicare School	214,000	210,067	0	210,067 3,933
910	7044 NMCOG	9,769	0	0	0 9,769
910	7050 Cornell	1,975	0	0	0 1,975
910	7051 Police/Fire Medical	30,000	0	27,801	27,801 2,199
910	7053 Professional Train Ed	8,100	7,933	0	7,933 167
Total Employee Benefits		6,252,060	6,182,439	38,654	6,221,093 30,967
Pension					
91070	7052 Retirement	2,460,829	2,460,829	0	2,460,829 0
Total Pension		2,460,829	2,460,829	0	2,460,829 0
Other					
910	7010 Town Building Insurance	312,444	312,444	0	312,444 0
910	7011 School Building Insurance	89,806	89,806	0	89,806 0
910	7055 Telephone	100,000	100,000	0	100,000 0
910	7056 T/G General office supplies	50,000	46,091	3,500	49,591 409
710	7057 T/G Custodial supplies	12,000	5,359	3,000	8,359 3,641
910	7058 T/G Maint & Repair	100,000	61,656	38,343	99,999 1
910	7059 Prof. Cleaning Services	22,000	16,500	0	16,500 5,500
910	7061 Town Report	12,000	10,140	0	10,140 1,860
910	7062 Town Audit	35,000	9,000	26,000	35,000 0
910	7063 Reserve	50,000	0	0	0 50,000
910	7064 BPAA Uniforms	2,400	2,192	0	2,192 208
910	7065 Abandoned Buildings	25,000	21,213	3,787	25,000 0
910	7067 VFW Posts	800	600	0	600 200
910	7068 Mem/Museum/Homecom	10,200	7,719	2,481	10,200 0

Town of Billerica
Analysis of General Fund Expenditures
June 30, 2002

910 7076 Middlesex Canal Comm	5,000	4,830	0	4,830	170
910 7077 Beautification	5,900	5,900	0	5,900	0
910 7080 Retirements	289,481	282,089	0	282,089	7,392
910 7084 T.G. Scholarships	3,100	3,100	0	3,100	0
910 7085 P/E Scholarships	3,000	3,000	0	3,000	0
910 7090 Inspection/Clerical	5,300	4,857	0	4,857	443
910 7092 Beaver Patrol	7,500	7,500	0	7,500	0
910 7093 Mosquito Control	12,000	11,591	0	11,591	409
910 7094 Assessment Center	20,000	11,600	0	11,600	8,400
910 7095 Street Lighting	218,300	211,012	7,288	218,300	0
910 7096 Legal	160,000	153,615	6,385	160,000	0
Total Other	1,551,231	1,381,814	90,784	1,472,598	78,633
State & County Charges					
80070 State & County Charges	1,327,269	1,302,084	0	1,302,084	25,185
Total State & County Charges	1,327,269	1,302,084	0	1,302,084	25,185
Debt Service-Principal					
710 Principal Town	2,713,738	2,713,738	0	2,713,738	0
710 Principal School	200,000	200,000	0	200,000	0
710 Principal Exempt 2.5	50,000	50,000	0	50,000	0
Total Debt-Service-Principal	2,963,738	2,963,738	0	2,963,738	0
Debt Service-Interest					
710 7130 Temporary Borrowing	60,000	44,629	0	44,629	15,371
710 7140 School-Short term interest	845,431	845,431	0	845,431	0
710 7550 Town Interest	1,549,040	1,492,851	0	1,492,851	56,189
710 7560 School Interest	30,900	30,900	0	30,900	0
710 7570 Exempt 2.5 Interest	1,625	1,625	0	1,625	0
710 7580 New Town Debt-Interest	164,230	161,174	0	161,174	3,056
Total Debt-Service Interest	2,651,226	2,576,610	0	2,576,610	74,616
Total Expenditures	94,071,226	92,610,996	602,668	93,213,664	857,562

Town of Billerica
Analysis of Capital Projects Funds-June 30, 2002

Fund	Org #	Description	(DR) CR Balance July 1, 2000	Total Revenues	Expenditures Capital Outlay	Bond Proceeds	Transfers In	Transfers Out	(DR) CR Balance June 30, 2002
330	33005	Ditson Elementary School	(14,890,231)	0	2,662,531	0	0	0	(17,552,852)
330	33006	Schl Captl Improv Plan Art 15	631	0	0	0	0	0	631
330	33007	Schl Captl Improv Plan Art 38	1,292,025	0	1,149,675	0	0	0	142,350
330	33008	Ditson Feasibility Study	50,000	0	0	0	0	0	50,000
330	33009	School Cap Imp Plan Art 18	0	0	426,105	0	1,229,282	0	803,720
Total Fund 330			(13,547,665)	0	4,238,311	0	1,229,825	0	(16,556,151)
300	30805	C28/29 Sewr A7 5/94	151,375	0	2,298	0	0	140,000	9,077
300	30815	WTP Improv A2 & 8 10/93	50,000	0	46,215	0	0	0	3,785
300	30817	New Library Building Fund	(79,473)	39,690	74,856	0	197,320	0	82,681
300	30819	Sewer Con 30/31 A15 10/96	7,425,345	0	3,436,737	0	0	115,000	3,873,608
300	30820	Sidewalk Baldwin A25 10/98	220,223	0	0	0	0	0	220,223
300	30821	Art 40 5/97 Various Proj.	67,424	0	16,204	0	0	13,288	37,932
300	30822	Drain & Repair A11 10/98	200,000	0	0	0	0	200,000	0
300	30824	Fox Hill Develop A18 10/98	13,977	0	13,977	0	0	0	0
300	30825	Sewer Pipe Inst A13 10/98	50,000	0	50,000	0	0	0	0
300	30828	Drain Improv Fac. A8 5/99	223,863	0	3,018	0	0	0	220,845
300	30829	River St. Bridge A19 5/99	5,000	0	0	0	0	0	5,000
300	30830	Sidewalk Const.Rehab A8 5/99	37,557	0	33,288	0	0	0	4,269
300	30831	Water Main River/Elsie A8 5/99	250,552	0	90,392	0	0	0	160,160
300	30835	Asset Mgmt Sewer Des Gmt	7,779	5,000	12,779	0	0	0	0
300	30836	Sewer-Feed sys art 9 5/99 ATM	339,170	0	72,699	0	0	0	266,471
300	30837	Inflow Infil.-Shawsh River	80,891	0	33,367	0	100,000	0	147,524
300	30838	Sewer Proj-Design & Cons.	(76,249)	0	(137,942)	0	0	60,000	1,693
300	30839	Cemetery Pickup Truck-Art 18	42	0	0	0	0	0	42
300	30850	Art 11 5/99 Various Proj	60,261	0	69,525	0	9,264	0	0
300	30851	Sr. Citiz. Voucher Prog.Art 13	4,390	0	0	0	0	0	4,390
300	30852	Emerg. Reprs.-Prv Ways Art 15	41,791	0	29,228	0	0	0	12,563
300	30853	Recreation Capital Proj.	0	0	0	0	0	0	0
300	30854	Celebration for YR 2000 Art 26	352	0	10,319	0	10,000	0	33
300	30855	Audio Visual Equip Art2 10/99	22,136	0	20,154	0	0	0	1,982
300	30856	Town Software-Art3 10/99 STM	5,850	0	4,951	0	0	0	899
300	30857	Land Purchase-Art 11 10/99	0	0	0	0	0	0	0
300	30860	Fire Dept. Art 25 10/96	67	0	0	0	0	67	0
300	30861	Fire Dept. Art 26 10/96	151	0	0	0	0	151	0
300	30862	Hwy Art 42 5/97	40,689	0	41,534	0	0	0	(845)
300	30864	Cemetery Art 18 10/96	31	0	0	0	0	0	31
300	30865	Recreation Marshall Art 16	317,230	0	227,680	0	4,024	0	93,574
300	30866	Recreation Acker Art 12 5/98	4,796	0	0	0	0	0	4,796
300	30868	Beautification Art 11 5/98	12,000	0	10,279	0	0	0	1,722
300	30869	Town Hall Art 2 5/98	131	0	131	0	0	0	0
300	30870	Twn Lnd Use Study Art2 5/98	3,776	0	0	0	0	3,776	0
300	30871	Bill Chrter Art 50 5/97	3,450	0	0	0	0	3,450	0
300	30872	Recreation Capital Outal	295,050	0	286,423	0	0	0	8,627
300	30873	DPW-Sweeper Art 8 5/00 ATM	0	0	0	0	0	0	0
300	30874	DPW-Tractor Art 8 5/00 ATM	0	0	0	0	0	0	0
300	30875	Fire-Pumper Art 8 5/00 ATM	1,280	0	0	0	0	0	1,280
300	30877	Various capital Art 11 5/00	(924,830)	0	1,005,569	2,546,534	0	0	616,135
300	30878	Trucks Art 10 5/00	117	0	0	0	0	0	117
300	30879	Truck Art 15 10/00	5,829	0	4,162	0	0	0	1,667
300	30880	Water Treatment Plant	(416,365)	0	346,837	1,500,00	0	0	736,798
300	30881	Road Repairs Art 12 5/00	40,000	0	0	0	0	0	40,000
300	30882	Treble Cove Road	493,325	0	59,187	0	0	0	434,138
300	30883	Town Center	487,687	0	84,737	0	1,000,000	0	1,402,950
300	30884	Sewer Contract 31C	0	0	861,489	0	1,203,616	0	342,127
300	30885	Howe Building Renovations	217,485	0	5,177	0	0	0	212,308
300	30886	Biosolids Study Art 7 5/01	75,000	0	0	0	0	0	75,000
300	30887	Waste Water Study Art 7 5/01	250,000	0	0	0	0	0	250,000
300	30888	Senior Center Art 10 10/00	1,000,000	0	0	0	0	0	1,000,000
300	30890	Various Capital Art 9 5/01	0	0	696,155	0	772,000	0	75,845
300	30891	Misc Drainage Improvements	0	0	391,132	158,466	241,534	0	8,868
300	30892	Vietnam Veterans Park	0	0	79,998	0	166,000	0	86,002
300	30893	Handicap Access Art 9 10/01	0	0	1,850	0	30,000	0	28,150
300	30894	Middlesex/Crosby Art 14 10/98	0	0	238,649	0	0	0	(238,649)
300	30895	DPW Trucks	0	0	262,520	0	405,000	0	142,480
300	30896	Recr French St Art 5 10/01	0	0	50,968	0	500,000	0	449,032
300	30897	Roadway Mgmt Art 10 5/01	0	0	178,609	3,222,000	0	0	3,043,391
300	30898	Public Works Cap Art 10 5/01	0	0	0	440,000	0	0	440,000
300	30899	Public Safety Radio	0	0	0	0	370,985	0	370,985

300	30900 Phosph Removal Facilities	0	0	0	0	325,000	0	325,000
300	30901 Richardson Pump	0	0	0	0	80,000	0	80,000
Total Fund 300		11,009,155	44,690	8,715,150	7,867,000	5,414,743	535,732	15,084,706
390	39012 Chapter 90 MA 36861	(10,068)	64,845	64,845	0	0	0	(10,068)
390	39013 Chapter 90 MA 37219	1,980	136,350	136,350	0	0	0	1,980
390	39014 Chapter 90 MA 37574	8,088	446	62,182	0	0	0	(53,648)
390	39015 Chapter 90 MA 38330	0	438,495	469,163	0	0	0	(30,668)
390	39017 Chapter 90 MA 35030	0	0	1,948	0	0	0	(1,948)
Total Fund 390		0	640,136	734,487	0	0	0	(94,351)
Total Capital Projects		(2,538,510)	684,826	13,687,949	7,867,000	6,644,568	535,732	(1,565,797)

**Town of Billerica
Analysis of Special Revenue Funds
June 30, 2002**

Fund	Org#	Description	(DR) CR Bal June 30, 2001	Total Revenues	Total Expense	Transfers In	Transfers Out	Fund Balance June 30, 2002
120	12042	School Lunch	380,168	1,581,683	1,655,475	0	0	306,376
150	15044	Athletic	106,636	63,673	71,765	0	0	98,544
155	15552	Adult Education	63	0	0	0	0	63
160	16046	Rink	151,894	415,084	267,010	0	0	299,968
165	16548	Rentals	35,424	216,104	233,361	0	0	18,167
170	17060	Insurance recoveries	52,650	4,141	3,552	0	0	53,239
175	17558	Driver Education	8,163	12,775	10,510	0	0	10,428
180	18027	Middle School Activities	176	15,100	16,440	0	0	(1,164)
180	18054	Summer Enrichment	36,228	25,093	29,764	0	0	31,557
180	18056	SPED Claims - BEAM	394,320	805,269	530,711	0	0	668,878
180	18057	Student Activity Account	122,784	234,057	230,000	0	0	126,841
Total Fund 180			553,508	1,079,519	806,915	0	0	826,112
190	19886	Mass Early Interven-FY01	(1,295)	4,501	3,206	0	0	0
190	19887	Drug Free Schools-FY01	3,482	(3,350)	132	0	0	0
190	19889	Title VI-Block Grant-FY01	354	0	354	0	0	0
190	19890	Class Size Reduction-FY01	2,861	1,748	4,609	0	0	0
190	19892	SPED-Curr Frameworks	11,311	0	11,311	0	0	0
190	19893	Teacher Train Math&Scien	15,312	0	15,312	0	0	0
190	19894	SPED-Early Childhd-FY01	7,462	0	7,462	0	0	0
190	19895	Tobacco Grant-FY01	(1,937)	3,621	1,684	0	0	0
190	19897	Title I-FY00	(869)	869	0	0	0	0
190	19898	Academ Sup Serv-FY01	68,495	0	68,495	0	0	0
190	19903	Title VI-(Blk Grant)-FY00	48	0	48	0	0	0
190	19905	SPED-Early Childhd-FY00	51	0	51	0	0	0
190	19908	Drug Free Schools-FY00	1,247	0	1,247	0	0	0
190	19988	SPED Fed Entitle-FY01	(2,697)	3,548	851	0	0	0
190	19921	Prof Dev 2002	0	27,000	27,000	0	0	0
190	19923	Mass Early Lit 2002	0	33,900	29,445	0	0	4,455
190	19924	SPED Alloc 2002	0	772,208	758,788	0	0	13,420
190	19925	Health/Tobacco 2002	0	101,538	134,744	0	0	(33,206)
190	19926	Eisenhower 2002	0	22,314	8,979	0	0	13,335
190	19927	Drug Free Schools 02	0	23,554	21,998	0	0	1,556
190	19928	Class Size Reduction-FY02	0	69,415	69,182	0	0	233
190	19929	State Fed Alloc 2002	0	65,584	63,665	0	0	1,919
190	19930	Early Childhood 2002	0	40,819	93,255	0	0	(52,436)
190	19931	Title VI-(Blk Grant)-FY02	0	15,252	15,068	0	0	184
190	19932	Advan Place-FY02	0	12,150	6,140	0	0	6,010
190	19933	Chapter I 2002	0	184,013	183,008	0	0	1,005
190	19934	ACAD Supp Ser 627	0	41,970	28,777	0	0	13,193
190	19935	Academic Support	0	34,960	29,900	0	0	5,060
Total Fund 190			103,825	1,455,614	1,584,711	0	0	(25,272)
Total School Grants			1,392,331	4,828,593	4,633,299	0	0	1,587,625
DPW Grants								

278	27831 Sewer Plant Connect Fees	705,032	225,502	0	0	405,000	525,534
278	27832 Inflow & Infiltration	337,037	89,075	0	0	100,000	326,112
278	27833 Sewer Rate Relief	0	471,225	0	0	0	471,225
Total DPW		1,042,069	785,802	0	0	505,000	1,322,871
Other Special Revenues							
240	24086 Library Meg	42,426	56,899	47,178	0	0	52,147
240	24095 Library gift	27	0	0	0	0	27
Total Fund 240		42,453	56,899	47,178	0	0	52,174
242	24282 Arts Lottery	22,809	22,065	22,054	0	2,000	20,820
246	24684 Census	9,508	0	2,591	0	0	6,917
248	24883 Elder Affairs	10,095	19,810	12,892	2,000	0	19,013
248	24884 Elder Affairs-Respite Care	106	2,634	1,854	0	0	886
Total Fund 248		10,201	22,444	14,746	2,000	0	19,899
256	25675 Conservation	7,468	0	0	0	0	7,468
256	25676 Kohlrausch Park (USH) #1	54,000	25,272	136,052	0	0	(56,780)
Total Fund 256		61,468	25,272	136,052	0	0	(49,312)
258	25885 StateGrant-Welchs (BOH)	1,382	0	1,203	1,400	0	1,579
258	25883 State Grant-Elections	5,610	0	2,521	0	0	3,089
258	25888 State Grant-Talbot Oval	40,300	0	24,500	0	0	15,800
258	25889 State Grant-Tobacco	(5,393)	70,584	62,477	0	0	2,714
258	25890 State Grant-Skin Cancer	28	500	500	0	0	28
Total Fund 258		41,927	71,084	91,201	1,400	0	23,210
275	27598 Sale of lots and graves	77,861	38,888	0	0	0	116,749
276	27633 Planning Board Forfeited	10,535	0	0	0	0	10,535
276	27640 Plan BD-Bond Fund Reserv	40,935	0	0	0	0	40,935
Total Fund 276		51,470	0	0	0	0	51,470
279	27929 Wetlands Protection Fund	22,081	5,586	15,903	0	0	12,034
279	27930 Conserv. Comm Bond 93	10,000	0	0	0	0	10,000
279	27931 Maintain Conser Comm 91	2,770	0	0	0	0	2,770
279	27937 YCEE Trust-Bill Ave	5,000	0	0	0	0	5,000
279	27938 Ambulance Gift Fund	0	1,250	0	0	0	1,250
Total Fund 279		39,851	7,106	15,903	0	0	31,054
280	28020 CRS Connect Bkflow	18,435	0	0	0	0	18,435
290	29050 Ins. Rec. Police	0	19,785	17,679	0	0	2,106
290	29051 Ins Rec. DPW	0	0	2,927	2,927	0	0
290	29052 Ins. Rec Tree	0	0	0	0	0	0
290	29053 Ins. Rec. Water Trtmnt	380	3,250	0	0	0	3,630
290	29056 Ins. Recoveries Fire	8,250	609	8,671	0	0	188
290	29057 Ins. Recover. Sewer	0	0	0	0	0	0
290	29058 Ins. Rec. Hydrants	0	0	0	0	0	0
290	29059 Ins. Rec. Cemetery	0	0	0	0	0	0
290	29060 Ins. Rec. Recreation	1,221	0	0	0	0	1,221
290	29063 Ins. Rec. Highway	1,289	0	0	0	0	1,289
290	29064 Ins. Recovery-Ambulance	347	0	0	0	0	347
290	29065 Ins. Recoveries Billing	0	1,593	0	0	0	1,593
Total Fund 290		11,487	25,237	29,277	2,927	0	10,374
291	29164 Recreation revolving	10,000	226,825	226,825	0	0	10,000
291	29166 Rec. Grant Spec Ed	0	0	0	0	0	0
291	29167 Rec Comm Power Fund	948	0	0	0	0	948
291	29168 Manning Pk Donations	735	0	0	0	0	735
291	29173 M.V. Dive Res Team B/S	13,374	3,287	4,500	0	0	12,161
291	29174 Rec & Open Space Plan	23,692	0	12,000	0	0	11,692

Total Fund 291		48,749	230,112	243,325	0	0	35,536
292	2927 Telecomm Revolving	118,917	16,873	0	0	0	135,790
293	29322 Forest Fund Revolv	965	1,500	1,150	0	0	1,315
294	29424 DARE Grant	2,387	13,000	21,939	0	0	(6,552)
294	29425 Drug Recovery Funds	14,567	498	1,749	0	0	13,316
294	29426 Parking Fines Handicap	7,706	900	1,048	0	0	7,558
294	29429 Bullet Proof Vest Pol.	18,982	0	4,209	0	0	14,773
294	29430 Comm Policing FY00	35,719	51,596	46,469	0	0	40,306
294	29432 Cops Fast	32,496	0	0	0	0	32,496
294	29437 COPS More	168,110	0	0	0	0	168,110
294	29438 Fire Student AwarenessSafe	2,838	5,108	7,213	0	0	733
294	29439 Fire Hazmat Team	120	0	0	0	0	120
294	29440 Fire Donations	0	1,350	0	0	0	1,350
294	29441 Fire Rescue Boat-Cabot	537	0	0	0	0	537
294	29442 COPS Grants	0	0	0	0	0	0
294	29443 Juvenile Alliance Grant	0	0	0	0	0	0
294	29444 Fire Safety Equip Grant	6,269	0	5,670	0	0	599
Total Fund 294		289,191	72,452	88,297	0	0	273,346
296	29610 Historic Distr. Com Plan	105	0	0	0	0	105
296	29611 Recycl. Donation Plan	12,440	5,475	0	0	0	17,915
296	29612 US Dept of Housing HUD	0	0	0	0	0	0
296	29613 Trash Barrel LionsClub	0	0	0	0	0	0
296	29615 Gorhman Hse Wenzel	2,231	0	0	0	2,231	0
296	29616 Welch's Comm Proj	74	140,000	125,000	0	0	15,074
296	29620 Veterans	611	1,155	59	0	0	1,707
296	29621 Zoning By-Law	3,803	0	3,105	0	0	698
296	29622 Long Range Master Plan	10,000	0	22,000	50,000	0	38,000
296	29623 General By-Law	20,000	0	0	0	0	20,000
296	29624 Mapping Study	0	0	0	25,000	0	25,000
296	29625 Fixed Asset Study	0	0	0	25,000	0	25,000
296	29626 Zoning Maps	0	0	0	50,000	0	50,000
Total Fund 296		49,264	146,630	150,164	150,000	2,231	193,499
Total Other Spec Revenue		894,555	736,562	841,938	156,327	4,231	941,275
Total Special Revenue Grants		3,328,955	6,350,957	5,475,237	156,327	509,231	3,851,771

AMBULANCE

THE TOWN OF BILLERICA EMERGENCY MEDICAL SERVICES (EMS) PROVIDES 24 HOUR 7 DAY SERVICE.

The Town of Billerica Emergency Medical Services (EMS) has 7 full-time Paramedics, 1 Paramedic Supervisor and 7 per diem Paramedics who provide the town with twenty-four hour, seven day a week Advanced Life Support, paramedic ambulance coverage. During the fiscal year July 1, 2001 to June 30, 2002, the EMS received 2,301 calls for medical assistance, transporting 1,207 people to area hospitals and trauma centers under emergency conditions. Out of town "mutual aid" ambulances responded to 197 of above calls. Private ambulances transported an additional 56 patients to out of area hospitals.

The EMS currently has two ambulances, but only one is staffed. A 1999 Horton Type 3, which has 65,000 miles, it is in fair condition. The second ambulance is a 1996 Horton type 3 with 106,000 miles on it. Money for a new ambulance appropriated at the 2003 Fall Town Meeting; at this time it has not been put out to bid.

E.M.S. personnel are maintaining the First Responder System with the Police and Fire Departments. E.M.S. paramedics continue to maintain the police department in the use of automatic defibrillators. This year E.M.S. has added 5 more per idem paramedics. This helps alleviate scheduling issues.

Chapter 111C Emergency Medical Care. Rules & Regulations are being established by DPH. AKA EMS 2000. Legislation passed by the state last year is reforming emergency medical service statewide. The CMR regulations have been finalized and will be introduced this spring. The Town of Billerica may be responsible for all medical emergencies that occur in town. (I.e. nursing homes, clinics, House of Correction & MD's offices etc.) The current staffing level is already overextended. By adding these additional services, the current system as is will be overwhelmed.

Total calls responded to:	2301	Hospitals transported to:	
Total Transports:	1207	Saints Memorial Medical Center	474
Assists	202	Lowell General Hospital:	171
Patient Refusals	212	Lahey Clinic Medical Center	512
Triage to private Ambulances:	56	Winchester Hospital	41
		Medflight / Other	9
Call Type		ALS/BLS Breakdown	
Medical	904	ALS	710
Trauma	303	BLS	497

Total Collections:	Budget Expenditure:	Net Cost
\$406,439	\$523,765	\$117,326

BEAUTIFICATION COMMITTEE

The Beautification Committee has had a productive and busy year.

We continued our aggressive goal of tree plantings along Boston Rd., at Contribution Park, and at the Korean War Memorial Park.

Our biggest project was undertaking the transplanting of thousands of Daylilies that were donated to the Town. These were planted throughout Billerica at many of the Towns cemeteries, the Town Hall, and various parks and memorial squares. We would like to thank Tom

O'Connor, Mary Collier Fisher, and George Doorkanian for their generous contribution of these lilies.

During the upcoming year we will continue with our tree plantings.

We also hope to focus on beautifying some of our Town cemeteries.

We wish to thank many of the other local groups and committees in town that volunteered their time and energy working with us on our many projects.

BOARD OF APPEALS

The Zoning Board of Appeal hereby submits its fiscal year 2001/ 2002 Annual Report to the town.

The Zoning Board of Appeal is a Quasi-Judicial Board, which operates under the mandates of Massachusetts General Laws Annotated Chapter 40A and the Billerica Zoning By-laws. The Board of Appeal consists of five members and two alternate members appointed by the Board of Selectmen. The members receive no financial compensation for their services to the board.

The Board of Appeal held several meetings to handle the numerous petitions filed with the Town Clerk. Petitions heard by the board are open to the public as established under Chapter 40A, 40B and 808 of Massachusetts General Laws. Meetings are held on Wednesday evenings in the Maurice Buck Auditorium.

The Board of Appeal shall hold a hearing within 65 days and must vote to grant or deny a Variance request within 100 days from the date the request was filed at the Town Clerk's Office. The board shall hold a hearing for a Special Permit within 65 days of filing the request and must vote to grant or deny within 90 days from the hearing. Failure of the board to vote on a Variance or Special Permit within the legal time frame results in an automatic granting of the petitioner's request.

Four Comprehensive Permit applications were submitted during the fiscal year. Several hearings and site walks have been completed to date. Two Comprehensive Permit applications were approved. Freedom Hill received approval for 180 rental units. Salisbury Hill received approval for 44 ownership units. These projects are moving forward and will add to the affordable housing requirements.

Additional hearings are scheduled in the hopes of rendering a decision on Barrett Farm and Villages at Pinehurst in the best interest of the town and its residents, for each project, in a timely manner.

The Zoning Board of Appeal follows Chapter 40B of Massachusetts General Laws when conducting public hearings for Comprehensive Permits. Hearings must be scheduled within 30 days from the date the petition is filed with the Town Clerk. The board has 40 days after the termination of the hearing to render their decision. Approval for a Comprehensive Permit requires a majority vote of the Board.

Although many of the cases are similar, each case is voted on its own individual merits. There are many issues to be considered before voting. Each decision is made in the best interest of the Town of Billerica and its residents.

The Board of Appeal would like to thank our clerk, Jane M. Nolan, for her continuous dedication and professionalism to the board and the general public. Also, appreciation is given to our Town Counsel, Town Clerk's Office, Town Administrator's Office and other town departments for their cooperation and continued support during the year.

Respectfully Submitted:
Richard A. Colantuoni, Chairman

BOARD OF ASSESSORS

The Board of Assessors completed a state-mandated Revaluation of all property in Billerica for fiscal year 2003. All statistical requirements were approved by the state Bureau of Local Assessment within the Division of Local Services of the Department of Revenue. Residential assessed values were increased an average of 20-25% for Fiscal Year 2003 while commercial/industrial assessed values were increased 5-10%. The increases were mostly due to the continuing appreciation of the real estate market in both classes of property during 2001 and early 2002. The Tax Classification Hearing to set the fiscal year 2003 tax rate was held on December 9, 2002. The Bureau of Local Assessment and the Bureau of Accounts of the state Department of Revenue issued tax certification for the Town of Billerica on December 12, 2002. The third quarter actual tax bills for fiscal year 2003 were mailed timely on December 31, 2002.

The total assessed value for the Town of Billerica for fiscal year 2003 is \$4,323,030,256. The total amount to be raised locally by the community from property taxes (the property tax levy) is \$63,886,838.21. The fiscal year 2003 tax rates are \$11.06 residential and \$25.13 commercial/industrial/personal property (CIP).

CLASSIFIED TAX LEVIES AND RATES

Class	Levy%	Levy by Class	Valuation	Tax Rate
Residential (1)	55.0678%	35,177,333.92	3,180,590,770	\$11.06
Commercial (3)	8.8129%	5,631,069.64	224,077,582	\$25.13

Industrial (4)	32.3604%	20,676,727.88	822,790,604	\$25.13
Personal Property (5)	3.7589%	2,401,706.77	95,571,300	\$25.13
TOTAL	100.0000%	63,886,838.21	4,323,030,256	

The Board of Assessors is pleased to report that, for the second year in a row by Town Meeting vote, all statutory exemptions pursuant to MGL Chapter 59, Section 5 (various clauses) have been increased in tax dollar amount by 60%. For example qualified disabled veterans will now receive \$400 for their exemption instead of the previous amount of \$250. The same percentage increases apply for the Elderly, Blind, and Widows exemptions.

The Board of Assessors wishes to thank its appraisal and support staff for their efforts throughout the year. We also wish to thank the public for their cooperation

Respectfully Submitted, Town of Billerica Board of Assessors
Richard J. Scanlon, Chairman

BUILDING DEPARTMENT

I hereby submit my report as Inspector of Buildings for the fiscal year 2001-2002. The Building Department is charged with enforcement of the Massachusetts State Building Code, Architectural Access Board Requirements, Town of Billerica Zoning By Law, and all other pertinent laws, including State Electrical, Plumbing and Gas Codes. The total fees collected by this department were \$1,057,263.52.

PERMIT ISSUANCE INFORMATION

SINGLE FAMILY DWELLINGS	59	
TOWN HOUSE DWELLING UNITS	76	
ADDITIONS AND ALTERATIONS	438	
ROOFING AND SIDING	238	
STRUCTURES (POOLS, SHEDS, ETC.)	185	
COMMERCIAL AND INDUSTRIAL	10	(est. cost \$22,975,500)
ADD. & ALT. TO COMM./INDUS.	76	(est. cost \$19,314,331)
RE-OCCUPANCY PERMITS	86	
DEMOLITIONS	44	
WOOD STOVES	34	
TRAILERS	14	
TOTAL PERMITS	1260	
OCCUPANCY PERMITS	72	
SIGN PERMITS	41	
GRANDFATHER LOTS	5	
CERTIFICATES OF INSPECTION	154	

ESTIMATED CONSTRUCTION COST FOR BUILDING PERMITS: \$66,320,884

TOTAL BUILDING PERMIT FEES COLLECTED: \$ 831,045.12

TOTAL PLUMBING AND GAS FEES COLLECTED AND TURNED IN: \$ 39,402

TOTAL PLUMBING AND GAS PERMITS: 1340

TOTAL ELECTRICAL PERMIT FEES COLLECTED AND TURNED IN: \$187,176.40

TOTAL ELECTRICAL PERMITS ISSUED: 1088

TOTAL FEES COLLECTED AND TURNED IN FOR DEPARTMENT: \$1,057,263.52

ZONING REPORT

LICENSES	140
DENIALS	178
ZONING COMPLAINTS	520
ZONING VIOLATIONS	472
GENERAL CORRESPONDENCE	886

PRE-TICKET PROCESS TOTAL TICKETS 472 (\$15,700)

Respectfully submitted,
Milton H. Kinney, Inspector of Buildings

CENTRAL MASSACHUSETTS MOSQUITO CONTROL

The Central Massachusetts Mosquito Control Project (CMMCP) currently provides its services to 35 cities and towns throughout Middlesex and Worcester Counties.

The Project's headquarters is located at 111 Otis St., Northborough, MA. Project personnel are available to meet with any town board or resident to discuss the Project's procedures and activities. Our phone number is (508) 393-3055.

In Billerica for 2002 we cleaned 107 culverts to permit the free flow of water. We responded to 348 requests for service from town residents, and we restored 9,595 feet of area drainage systems, 857 catch basins were treated in conjunction with the town's catch basin program.

CMMCP practices Integrated Mosquito Management (IMM), blending state of the art methods and techniques with expertise, experience, and scientific research to provide our member communities with modern, environmentally sound, cost effective mosquito control. IMM encourages the use of non-chemical means to accomplish the goal of mosquito reduction.

The Mosquito Awareness program, which we offer to elementary schools in our district, is very popular. Project staff meets with students and teachers to discuss mosquito biology, mosquito habitat, and control procedures. Much of the presentation is directed towards what the children and their families can do to prevent mosquitoes from breeding around their homes. Slides, videos, handouts, and coloring books help to make this an interesting program.

As part of our effort to reduce the need for pesticides, our first line of control is our wetlands restoration program. By cleaning clogged and overgrown waterways, mosquito breeding can be reduced, wetlands are returned to historical conditions, and water quality is improved. Source reduction, the elimination or reduction of a mosquito breeding source, is practiced by alerting residents and business owners about potential mosquito producing sites they have created. They are informed about basic mosquito biology, and the need to eliminate these man-made breeding sources.

Bti mosquito larvicide is used to treat areas where mosquito larvae are found and source reduction or wetland restoration is not feasible. We have an extensive database of known breeding sites, and we encourage the public to notify us of any areas they suspect could breed mosquitoes. Our fields crews will investigate all requests and treat the area only if pre-determined thresholds of mosquito larvae are exceeded. Bti is a naturally occurring product, and is exclusive to mosquito larvae, preserving other aquatic organisms in their habitat.

Our goal is to handle all mosquito problems with wetlands restoration, source reduction or larviciding, but we recognize that there are times when adult mosquito spraying is the only viable solution. In such cases residential areas are treated with either hand-held or pick-up truck mounted sprayers. Applications are site-specific and are determined by weather, type of area and mosquito population's levels. These applications are done only by request of town residents. Adult mosquito surveillance is performed before any applications of any product.

The project's surveillance program monitors adult mosquito and larval population density, and is the backbone for prescribing various control techniques. We have expanded the adult collection program to monitor for West Nile Virus in our service area. Specialized traps are used as a mobile force for viral monitoring, and are placed in member towns on a rotational basis for routine sampling. If a WNV hot spot were to occur, surveillance is intensified to sample mosquitoes in that area.

The Project has a website at www.cmmcp.org which has extensive information on our program, products we use, and mosquito control procedures. Requests for service can be made through the website, as well as pesticide exclusions. A phone notification system has been installed to announce potential spray areas for member cities and towns on their scheduled evening.

Kenneth Courtemanche, Superintendent
Timothy Deschamps, Assistant Superintendent

TOWN CLERK

In accordance with Massachusetts General Laws, the following report for the Fiscal Year ending June 30, 2002 is hereby submitted:

Vital Statistics recorded in FY 2002

Births	503
Marriages	176
Deaths	268

These records were placed on permanent file in this office and certified copies were issued upon request.

During FY 2002, three Town Meetings were held. The Annual Fall Town Meeting was convened on October 3, 2001 and lasted six sessions. The Annual Spring Town Meeting convened on May 1, 2002 and consisted of six sessions. Special Town Meetings were held on June 6, 2002 consisting of 1 session each. Certified copies of the action taken can be obtained from the permanent records on file in the Town Clerk's Office.

Zoning and general by-law amendments were submitted to the Attorney General for approval. All other articles were certified and distributed to the appropriate Town Departments and State Agencies. Zoning and General By-laws were entered into the computer database and made available to interested persons.

The Town Clerk's Department performed all duties mandated by State and Federal Law, Town By-laws and the Town Charter as well as those services the Public has come to expect as a matter of right.

One election was held in FY 2002. Absentee ballots were mailed to all persons requesting same. As allowed by law, absentee voting was also done in the Town Clerk's Office until noon the day before Elections. Campaign Finance Forms were issued to all candidates for Town Offices, except Town Meeting Members, as required by law, and returned forms were monitored for compliance.

Raffle and bazaar permits and gasoline storage registration renewals, business certificates, uniform commercial code filings and Sunday entertainment licenses were issued and filed as mandated by M.G.L. Applications to and decisions of the Board of Appeals were received, recorded and certified as per M.G.L., Chapter 40A.

During FY 2002, a total of 2,226 dogs were licensed. All dogs three months of age and older are required by law to be licensed as of January 1 each year. Any dog not licensed by March 10th is subject to a \$10.00 late fine.

FEES COLLECTED:

U.C.C. - Filings, Discharges & Searches	\$ 7,474.63
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Certified Copies	14,807.00
Marriages Licenses	2,715.00
Business Certificates	4,343.00
Photo Copies	206.40
Pole/Conduit Locations	1052.00
Zoning/General By-laws	1,415.00
Gasoline Storage Permits	895.00
Miscellaneous	978.30
Sunday Licenses	4,705.00
Street Listing Books	1,020.00
Dog Licenses	14,799.00
Dog License Late Fees	2,460.00
Fish & Wildlife Licenses	11,618.45
Total	\$ 68,488.78

On June 30th, 2001, Joan McDonald retired after twenty years of employment with the Town. We were reluctant to have her leave but wish her many years of happy retirement. In August , Donna Burlamachi joined our staff.

My sincere thanks to all those persons who have assisted this department during Fiscal Year 2002. It has been a pleasure working with each of you. My special thanks to my dedicated office staff, Assistant Town Clerk Margaret Ryan, Principal Clerk Donna McCoy and Senior Clerk Donna Burlamachi. Their loyalty, support and dedication to serving the residents of Billerica are to be commended.

Respectfully submitted,
Shirley E. Schult, CMC, CMMC, Town Clerk

COMMISSION ON DISABILITY

The Billerica Commission on Disability consists of the following members:

Chairperson:	Valerie McEachern	Co-Chairperson:	Helen Gentile
Treasurer:	Helen Gentile	ADA Coordinator:	Mike Kinney
Secretary:	Debbie Kardenetz		
Members:	Wayne Sharpe; Paul Grassia; Michael Rossi		

The past year The Commission on Disability in Billerica has been involved in many different projects that have been quite rewarding.

- The Billerica Town Hall handicapped entrance and ramp were re-done to make it accessible. Many people were involved with us in the completion and success of this project.
- We participated in the Billerica Health Fair at the Billerica Memorial High School in April, 2002. The fair was successful. We distributed pamphlets and various items for anyone interested in the services and information available for the disabled.
- Our Web Page is up and running and linked to the Billerica Town Home Page.
- We are donating a computer to the Billerica Public Library to be utilized by the disabled in our community. This computer will feature a large keyboard, a specialized mouse, a laser pointer, a large monitor and JAWS software. This new computer will help so many people with various disabilities. It is expected to be in the library around the beginning of 2003.
- Barbara Flaherty of The Billerica Public Library had a handrail installed at the handicapped entrance of the library. This makes it safer and easier for the disabled to use this entrance.
- We are hoping to bring the KOTB (Kids on the Block) Puppet Show to the elementary schools in Billerica. This is the program showing children how to deal with various disabilities.
- We, again, are very grateful to the contributions of Selectmen Bob Correnti and Jimmy O'Donnell to our commission. We used their contributions to help purchase the computer for the Billerica Public Library.

We are proud to have had a productive year and look forward to another wonderful year assisting more people with disabilities live their lives with less restrictions and more security and ease.

Respectfully submitted,
Debbie Kardenetz
Secretary, Billerica Commission on Disability

COMMUNICATIONS COMMITTEE

At the Spring 2002 Town Meeting the Commercial Wireless Communication Facilities Review Committee was renamed the Communications Committee and became a permanent Committee consisting of 9 members appointed by the Selectmen. The role of the Committee was also expanded to include right-of-way management issues. While still continuing to monitor telecommunication needs and the implementation of the new By-law the Committee has also begun the process of studying, creating and recommending a right-of-way Management By-law. This comprehensive By-law will address the increasing requests for aerial and underground permitting.

The Committee made some recommendations and offered an amendment to the Telecommunication By-law at the Fall 2002 Town Meeting. After observing the initial

application process of the Telecommunication special permits the Committee felt that implementation could be streamlined with some minor housekeeping changes.

Noise levels were redefined and enhanced after the Committee received additional expert opinion, mapping requirements were clarified and procedural requirements were added. Article 22 was submitted and approved at the Fall 2002 Town Meeting.

Telecommunication vendors have expressed a need to be located in residential areas, specifically the Rt. 129 area and the center of town. In order to reduce the need for multiple antenna locations within concentrated residential areas the Committee identified Tower Farm Water Tank and the Fox Hill Cemetery as two preferred sites. The Committee felt these sites were in compliance to the current By-law, would provide optimal coverage for multiple vendors and would minimize the impacts to many adjacent residential neighborhoods. Article 19 was submitted and approved at the Fall 2002 Town Meeting.

The Committee will continue to review and modify the Telecommunications By-law details as needed.

The identification and mapping of antennas and towers within the town continues. This information will become the building block for present and future planning decisions involving telecommunication projects. It will also help identify ownership and emergency contacts.

The Committee added additional members and re-elected officers. The Committee's expanded role and membership scheduling demands prompted the shift in positions, however everyone remained on the Committee as contributing members. Marc Lally replaced Patricia Huntley as Chairperson, Frank Busalacchi replaced Marc Lally as Vice Chairperson and Cheryl Lally remained as Secretary. The Committee extends its thanks to everyone for all their hard work and for a job well done.

The RFP selection process for compiling a town wide comprehensive telecommunications plan is complete. The Committee evaluated the proposals and provided a recommendation to the Town Manager. The Committee feels confident the study will prove invaluable when determining future siting issues.

During 2002 the Committee provided guidance to the Planning Board on the interpretation and implementation of the new Telecommunications By-law.

The Committee will continue work on implementing the current Telecommunications By-law and on creating a new Right-of-way By-law.

Current Members:

Marc Lally, Chairperson
Frank Busalacchi, Vice Chairperson

Robert Correnti
Richard Freedman

Cheryl Lally, Secretary
Patricia Huntley
James Lally

Dennis Abrams
Edward Joy

Respectfully Submitted on behalf of the Communications Committee by Cheryl Lally, Secretary.

CONSERVATION COMMISSION

The Conservation Commission consists of seven members appointed by the Board of Selectmen for terms of three years each. They maintain an office in the Town Hall and currently have a staff of two people (Martin W. Houlné, Director and Patricia A. Simpson, Secretary.).

The Commission and its staff had a very busy year in Fiscal Year 2002 administering and enforcing the State Wetlands Protection Act (Massachusetts General Laws, Chapter 131, Section 40) and its applicable Regulation (310 CMR 10.00) at the local level.

During the year, 42 Wetlands Hearings, 49 Wetlands Hearing Continuances, 15 Requests for Determination of Applicability Hearings, 5 Determination Hearing Continuances, 3 Resource Area Delineation Hearings and 1 Resource Area Delineation Continuance Hearing along with 3 Modification Hearings and 2 Permit Extension Hearings.

Official documents issued by the Conservation Commission are as follows: 40 Orders of Conditions; 3 Modified Orders of Conditions; 15 Determinations of Applicability; 12 Certificates of Compliance; 1 Duplicate Certificate of Compliance; 2 Permit Extensions and 3 Enforcement Orders (for violations of the Wetlands Protection Act). Also, one Determination of Applicability was appealed by the permit Applicant to the Northeast Regional Office of the Massachusetts Department of Environmental Protection to try and overturn the Commission's ruling that a stream was perennial.

For the full year, there were 20 Regular Meetings and 1 Special Meeting held by the Conservation Commission.

In January of 2002, the Ranlett Grove Beach Association donated 4 parcels of land (totaling approximately one acre) along the Concord River to the Town as Conservation Land. The Conservation Commission thanks all the members of the Beach Association for their generosity in donating this land for Conservation purposes.

In November of 2001, Conservation Assistant Jason Lefsyk resigned his position to pursue other employment opportunities. Following a lengthy process to fill this vacant commission, the Commission voted in June of 2002 to hire Tony DaSilva of Lowell as the new Assistant. The Commission Members and staff look forward to working closely with Tony in the future. He is slated to start sometime in August.

Also, on June 17, 2002, Norman Beloin, Jr. and Thomas Woodford were re-appointed to the Commission by the Board of Selectmen. Their terms will expire on June 30, 2005.

For Fiscal Year 2001-2002, many Commission Members spent a great deal of their free time participating in numerous other meetings held in the Town Hall as appointed members of various Town Subcommittees. Three such committees were the Open Space Committee, the Vietnam Veterans Park Committee and the Master Planning Committee.

Members of the Commission also continued working with Peggy Hannon-Rizza, Assistant Director of the Recreation Department and Ellen Rawlings of the Board of Selectmen to identify public access points along the Concord River for use as canoe launching areas as well as for the promotion of passive recreation (fishing, birdwatching, etc.). We are now focusing on two or three sites and during the next Fiscal Year, we hope to work to upgrade these sites with amenities such as off street parking, picnic areas and possibly fishing docks.

For the fifteenth straight year, the Nicola Micozzi Beach located on Conservation Land at Nutting Lake was once again operated during the 2001 Summer season by the Town Recreation Department. The Conservation Commission thanks Joseph Higgins, Director of the Recreation Department, as well as his qualified staff, for the great job that they did in successfully overseeing the day-to-day operations at the Beach. With all those involved carrying out their duties in a professional manner, everyone that visited the Beach was provided with a safe and enjoyable experience. Efforts are already underway for the sixteenth year (2002) of the Beach (with an opening scheduled for the beginning of July) and we look forward to many more pleasant summer seasons in the future.

The Conservation Commission holds regular meetings on the second and fourth Wednesday of each month in the Town Hall starting at 7:30 p.m. and all are welcome to attend.

We thank all that have supported the Commission during the past year.

Respectfully submitted,

James D. Miller, Chairman
Norman Beloin, Jr., Vice Chairman
Thomas Woodford, Secretary
Diane DePaso

JoAnne Giovino
Ilana Freedman
Brian Morgan

COUNCIL ON AGING

Fiscal Year 2002 was one of waiting for word of when we would be moving into the old library. We expect that we'll be in there before Christmas 2003. Toward this end, many of us have been donating money toward furnishings for our new home. We can't possibly collect enough money from Sr. Citizens to completely furnish the building. Therefore, we are hoping that other

Billerica Citizens and Businesses will be able to come forward with some financial help. In the meantime, we continue to provide necessary aid to those who are in need of our services. We are very thankful to a wonderful staff, and so grateful to the many volunteers who help with their support. Transportation to medical appointments & grocery shopping seem to be among the top requests we receive. So far we have been able to accommodate these requests, thanks to our volunteers. There has to be a special spot for these “Angels of Mercy” in the hereafter. I’m very certain that we will be able to expand our services even beyond what we provide now, once we are in larger quarters.

Dorothy A. Cox
Secretary

DITSON REUSE COMMITTEE

The Ditson Re-Use Committee was formed to work with the Town, the School Committee, and the neighborhood to suggest potential uses for the old Thomas Ditson School building located on Boston Road. The committee is comprised of members of the Pinehurst neighborhood as well as representatives from several boards in town as follows:

Marc Lally (chairperson)	Joan Parcewski (secretary)
James O'Donnell (Selectman)	Virginia Wrobel (Senior Center)
Stu Wood (Housing)	Paul Shibles (recreation)
Judy Delano	Don Delano
Nicole Brien	Earl Leavitt
John Saulnier	Carol Ford (alternate)

The committee has met regularly over the past several years, seeking input from the neighborhood, the Town Manager, and the School Department. As a result of its efforts an RFP has been designed and advertised. Over the next several months it will be determined whether to continue the process or to temporarily put the RFP on hold until the current fiscal crisis has passed.

FAMILY FIRST NIGHT COMMITTEE

This committee was established to continue the family celebration of the New Year supported by funding by the Town Meeting of \$10,000. The celebration includes Ice Sculptures at the Billerica Common with many family activities at the Billerica Town Hall this year. These included entertainment, arts & craft, face painting, games, clowns, magician, storyteller, reptile demonstrations, singers, cartoon characters and food. With the town funding, all family activities are free of charge – a wonderful start to the New Year.

The committee consists of Co-chairs Judi Ciampa and Julie Greene, Secretary Dotty Murray, Treasurer Bernie Hoar, Recreation Director Joe Higgins, Safety Officer Marty Conway and members Tony Capaldo, Rose Doyon, Steve Dresser, Bill Greene, Shirley Holdman and Kay Mullen. The committee meets starting in September finishing up with the event and a wrap-up meeting in January.

We also must thank the many volunteers and the Town who make this event an outstanding success.

BILLERICA FIRE DEPARTMENT

I am pleased to submit the annual report of the Billerica Fire Department for the period July 1, 2001 through June 30, 2002.

The department responded to 4,865 fire incidents during FY2002.

The following is the report of the major activities of the Fire Prevention Bureau between July 1, 2001 and June 30, 2002:

- I. PUBLIC FIRE EDUCATION
 - A. Fire drills held in eleven public schools, elderly housing complexes and House of Correction facility.
 - B. Public fire education activities – 20
- II. FIRE INVESTIGATIONS
 - A. Fire cause and determination - 28
 - B. Vehicle fires - 10
- III. CODE ENFORCEMENT
 - A. Hotel inspections - 8
 - B. Nursing home inspections – 16
 - C. Oil burner inspections – 72
 - D. Woodstove/chimney inspections – 21
- IV. PLANS REVIEW
 - A. Commercial plans reviewed – 178
 - B. Residential plans reviewed – 406
 - C. Planning Board - 18
- V. PERMITS ISSUED
 - A. Open burning permits – 2509
 - B. Smoke detector certificates issued – 754
 - C. Occupancy permit sign-offs – 298

- D. Selectmen's license renewals – 31
- E. Smokeless and blackpowder – 8
- F. Flammable/combustibles – 98
- G. LP gas storage – 54
- H. Blasting permits – 35
- I. Tank truck inspections – 126
- J. Underground tank removals – 5
- K. Aboveground tank removals – 19
- L. AST/UST installations – 4
- M. Tank and piping tested – 3
- N. Sprinkler permits – 79
- O. Commercial fire alarm – 58
- P. Residential fire alarm – 224
- Q. Fixed suppression systems – 7
- R. Oil burners – 41
- S. Open flame – 38
- T. Fp290 storage permits – 32
- U. Carnival – 1
- V. Fireworks – 1

PERMIT FEES COLLECTED – FY2002 \$16,300.00

TRAINING ACTIVITY DURING FISCAL YEAR 2002

Firefighters were trained on the following topics:

- Hazardous Material For First Responders
- Firefighting In Train Accidents
- Sexual Harassment
- Large Diameter Hose Training
- Hydrant Assist Valve Training
- Radio Operation On New System
- Zetron Training
- Rapid Intervention Rescue Training
- Foam Equipment Training
- Protective Breathing Equipment and Search Skills
- Civilian Dispatchers Training
- Multi-gas Meter Training
- First Responder Certification
- CPR Certification
- Vehicle Extrication Jaws of Life Training
- EMT Refresher Training
- Defibrillator Training
- Incident Command System
- Incident Report Training
- Water Rescue

MAINTENANCE OF EQUIPMENT:

- Testing of hose
- Thermal imaging camera
- Computer workstation repair
- Scott bottle and packs overhaul
- Pass devices
- Tested pumps
- Protective clothing inspection

PLANNING AND MEETINGS:

- Lowell Fire Department
- Boston Fire Academy
- Chelmsford Fire Department
- Mass Fire Academy
- Mass Institution of Fire Department Instructors

GOALS FOR FISCAL YEAR 2003

- Hazardous Materials Technician Training
- Hazardous Materials Team
- Confined Space Rescue
- Advanced Rope Training
- New Equipment for Haz-Mat
- Advanced Foam Training
- New Server Installation
- Network Security
- Flashover Training

Main concern of the Training Division is the safety of the personnel and the residents of the Town of Billerica.

The Fire Department would like to thank all other Town Departments and Town Officials for their help and cooperation throughout the year.

Respectfully submitted,
Anthony E. Capaldo, Fire Chief

BOARD OF HEALTH

The Board of Health presents this as its annual report for fiscal year 2002. The Board of Health was represented by the following members:

- Bernard Hoar, Chairman
- Arnold Ventresca, Vice Chairman

Marie O'Rourke, Secretary
Robert Reader, Member
Sandy Giroux, Member

The Health Department Staff for fiscal year 2002 was comprised of the following individuals:

John Morris, Director of Public Health
Richard Berube, Deputy Director
Cheryl Marland, Public Health Nurse
Angela Braun, Health Agent
Gerry Noel, Health Agent (resigned May 10, 2002)
Nancy Higgins, Principal Clerk
Kelly Jones, Principal Clerk

During fiscal year 2002, the Health Department conducted the following services:

Building Permit Reviews	950
Complaint Investigations	357
Food Service Establishment Permits Issued	198
Storage of Milk and Cream Permits Issued	162
Food Service Inspections Conducted	609
Temporary Food Service Permits Issued	45
Asbestos Removal Permits Issued	19
Burial Permits Issued	126
Disposal Works Installer Permits Issued	28
Funeral Director Permits Issued	4
Health Club Permits Issued	2
Horse & Barn Permits Issued	37
Hotel Permits Issued	2
Ice Rink Operator Permits Issued	1
Manufactured Housing Community Permits Issued	1
Massage/Muscle Therapy Establishment Permits Issued	11
Massage/Muscle Therapist Permits Issued	20
Portable Toilet Permits Issued	2
Recreational Day Camp Permits Issued	1
Septage Hauler Permits Issued	21
Septic System Permits Issued – New Construction	27
Septic System Permits Issued – Repair/Upgrade	84
Suntanning Salon Establishment Permits Issued	9
Swimming Pool Permits Issued	9
Transitory Gathering Permits Issued	2
Title 5 Inspector Permits Issued	10
Variance Applications Reviewed	38
Well Permits Issued	12

White Good Permits Issued

2,935

During fiscal year 2002, the Public Health Nurse conducted the following services for residents:

SERVICE PROVIDED	NUMBER OF RESIDENTS
Office Visits	1,440
Senior citizen clinics	1,605
Mantoux clinics	66
Hepatitis B clinics	45
Health Fair blood pressure clinic	64
Health Fair blood sugar clinic	107
Health Fair cholesterol clinic	51
Flu Shot clinics, plus 8 homebound visits for flu shots	1,615
Pneumonic shot clinics	31
Cholesterol clinics	87
Sun Protection Program	440 children
Blood Pressure clinic at local banks and Library started in February	226

The Health Department held its Annual Health and Recreation Fair on Saturday, April 13, 2002. The event attracted more than 3,600 residents who were provided with valuable services, information and opportunities to achieve optimum wellness, all at no cost. The Health and Recreation Fair is organized by volunteers and provided at no cost to attendees.

Respectfully submitted,
Bernard Hoar, Chairman

HISTORICAL COMMISSION

The Billerica Historical Commission meets the first Wednesday of each month and at other times as conditions warrant. During the past fiscal year commission members continued their efforts in marking a selected number of the Town's older inventoried historic homes with "Circa Signs".

In August an application for the demolition of an inventoried property was forwarded to the Commission. Following the process outlined in Billerica's "Demolition Delay By-Law" the commission members determined that the structure referenced in the application was not historically significant and the process concluded at the first level. Since Billerica maintains a sizeable inventory of historic properties, the commission members have worked diligently over the past year in an effort to keep the files current. In addition the local Commission has worked with the staff of the Massachusetts Historical Commission in updating the Town's National Register listings.

In the Fall of 2001 the commission members prepared and endorsed a letter of support for the use of State and Federal funds to purchase the 60 acre Kennelly Farm (North Road) for preservation as “open space”.

At various times during the fiscal year the Commission has received requests for historical background information to assist both civic and private projects. After researching the Commission’s files reports were generated in conjunction with the WWI/WWII War Memorial, the William Stearns House, the Washington Oak, the Civil War Cannon, the Town Pump, the Revolutionary War Memorial, the PAL Revolutionary War Site Inventory, the Gilson Hill Inventory, the Danforth “corner” chair, the Solomon Pollard Tavern, and the South Burying Ground.

In closing the commission members are pleased to note the improvements at the Talbot Oval, the Kohlrausch Park, and the Town Common. The next two years should prove interesting as the town prepares for its 350th anniversary in 2005.

Respectfully submitted,

Alec Ingraham, Chair
Thomas Paskiewicz, Vice Chair
Virginia Maguire, Secretary
Carol Bruyere
Elizabeth Cleary
Margaret Ingraham
Helen Knight

Associate Members
Dr. Charles Stearns
Robert Value
Peter Woodbury

HISTORIC DISTRICTS COMMISSION

The Commission consists of five regular members, six alternates and Town Planner, Peter Kennedy as a non-voting ex-officio, and two regular member vacancies.

Regular Members: Marie Dube
Debra Fox
Joshua Kane
Kristen Norwood
Debra Wolf
Richard Young

Alternate Members: Mary Canty
David Mains
Colin Murphy

Officers: Richard Young – Chairman
Kristen Norwood- Vice Chairman
Debra Fox – Secretary

The first scheduled meeting of the Billerica Historic Districts Commission for fiscal year 2001 through 2002 was held on July 12, 2001.

Meetings were held the first and third Thursday of each month, beginning at 7:30 PM and adjourning as necessary. Special meetings were also held on alternate dates as needed. All meetings held were posted as required with the Town Clerk.

During the Spring and Fall Town Meetings, the Commission changed their regularly scheduled meetings to the first and third Wednesday of the month until Town Meeting was adjourned.

The Commission reviewed forty-three Applications for Certificates during this period. Of those:

- 31 - Applications were accepted and approved as Certificates of Appropriateness and Minor with some including conditions.
- 3 - Applications were accepted as Certificates of Appropriateness and Major which required Public Hearings to be held prior to approval.
- 6 - Applications were accepted and approved as Certificates of Non-Applicability.
- 3 - Application was accepted and approved as a Certificate of Hardship.
- 1 - Applications were denied.

Also reviewed by the Commission:

- 2 - Amendments to previously approved Applications were submitted, accepted and approved.

Violation letters were sent to property owners for work already in progress or completed on their properties without prior submission of an Application to the Commission.

The Commission reviewed and approved Applications from homeowners and businesses for a variety of repairs, such as roofs, porch additions, window replacements, new construction and signs.

Detailed minutes of the Billerica Historic Districts Commission's meetings have been filed with the Board of Selectmen and are available for review by the public at the Billerica Public Library.

We wish to thank all the residents and businesses who have supported the efforts of the Commission and who have contributed in making a difference in the preservation of our past into the future of the Town of Billerica.

We look forward to working together with the Board of Selectmen and Town Administrator in the fiscal year 2002-2003 to continue to preserve and protect the Historic character of Billerica.

Respectfully submitted, Debra Fox, Secretary

HOUSING AUTHORITY

At our annual meeting held on 6, May, 2002, the following officers were elected:

Stewart Wood, Chairman
Helen Gentile, Vice Chairman
Dorothy Pearson, Treasurer
William Flaherty, Assistant Treasurer
Walter Coakley, Member

Carol Ford was re-appointed Executive Director

The Billerica Housing Authority programs, as of June 30, provided a total of 259 units of low-income housing, 177 elderly all funded under Chapter 667. Under the 705 Family Program, 11 units are scattered throughout Billerica. The Chapter 689 Program is able to serve up to 8 individuals at 16A River Street and 8 individuals at 609 Boston Road. The Section 8 program serves 55 families in many of the surrounding communities and Billerica.

The housing authority continues a supportive housing program for elderly/disabled tenants, which provides meals, exercise and activities programs in conjunction with Elder Services.

The Billerica Housing Authority would like to thank the Board of Selectmen and all town boards for their continued support.

Sincerely,
Stewart Wood, Chairman

LOWELL REGIONAL TRANSIT AUTHORITY

The Lowell Regional Transit Authority provides general public fixed route bus service and Paratransit transportation service for Billerica's disabled residents and senior citizens via the LRTA's Road Runner Dial-a-Ride service.

The BI-Billerica Route bus service between Billerica and Lowell operates Monday through Saturday with the first bus leaving Billerica for Lowell at 7:05 a.m. and the last bus leaving Lowell for Billerica at 5:20 p.m. There are ten (10) round trips per weekday and five (5) round trips on Saturdays.

The #19 Billerica/Lahey Clinic route connecting Lowell and Burlington, travels along routes 129, 3A, Concord Road and the Middlesex Turnpike with in Billerica. The #19 Route operates Monday through Friday, with six (6) round trips per day, the first departing Lowell at 6:00 a.m. and last trip departing Lahey Clinic at 5:30 p.m.

Fares are seventy \$1.00 within Billerica and \$1.50 between Billerica and surrounding communities. Senior citizens and the disabled pay half fare. The LRTA "PASSPORT" is available to Billerica residents at a cost of thirty-five (\$35.00) dollars, which entitles the bearer to travel on all LRTA bus service routes and the MVRTA's Lowell to Lawrence route as well. The South Lowell bus route (#03) extension to the North Billerica train station continues to offer nineteen (19) trips daily to and from Lowell for a one-way fare of \$1.50

Billerica had an estimated **77,000** fixed route passenger trips in FISCAL YEAR 2002. This represents a significant increase in passenger trips over the previous year. This is partially attributed to the popularity of the new Route #19.

The fixed route bus service is provided by LoLaw Transit Management, Inc. under contract to the LRTA. **For full information regarding the regular bus route service, residents should call 978-452-6161.**

The Road Runner Dial-A-Ride bus service continues to accommodate many trip purposes including work, medical, shopping, recreational and social. The Road Runner service operates from 6:30 a.m. to 5:30 p.m. on weekdays and from 8:00 a.m. to 4:00 p.m. on Saturdays with a 24-hour call-in-advance notice needed to arrange trips. Service is available to Billerica residents over 60 years of age and individuals of any age with a permanent or temporary disability.

One-way fares cost \$1.00 within Billerica and \$1.50 to Chelmsford on Mondays; to Lowell on Tuesdays; and to Burlington on Fridays. Medical trips to Boston are available Tuesday through Friday. The one-way fare is three dollars and fifty (3.50) cents. Medical trips to Tewksbury are also available on Wednesdays. The one-way fare costs \$1.50. Service is also provided to the Billerica Council on Aging's activities and to their daily lunch program.

Ridership for the **Road Runner** service was approximately **11,000** in FISCAL YEAR 2002 The Road Runner service is operated by Omni Bus Co. under contract to the LRTA. All LRTA Road Runner vehicles are wheelchair lift-equipped and provide a curb to curb service. **For service requests and further information the number to call is 978-459-0152.**

Commuter rail service between the North Billerica Station and Boston is operated by AMTRAK under contract to the MBTA. Twenty-one (21) round trips are provided on weekdays with eight (8) round trips on Saturdays, Sundays and holidays. The one-way interzone fare between North Billerica and Lowell is one dollar and seventy-five (\$1.75) cents. The round trip fare to Boston is eight dollars (\$8.00). Over 450,000 passenger trips were served to and from the North Billerica commuter rail station in 2000. Billerica commuters to Lowell disembark at the **Gallagher Intermodal Transportation Center** and continue to avail themselves of the convenient LRTA shuttle every 15 minutes to Downtown Lowell with the opportunity for connection to all LRTA routes. The LRTA manages the North Billerica Commuter Rail Station under a cooperative agreement with the Town of Billerica and the MBTA.

Bus connections to Manchester Airport as well as most cities in the United States can also be made at the **Gallagher Intermodal Transportation Center** as Peter Pan, Vermont Transit, Greyhound and Michaud Bus ("Foxwoods Casino Special") all make regular daily stops there. For further information regarding commuter rail and intercity bus service, residents may call 459-7101 or 1-800-392-6100. For additional information regarding times and rates residents may call **1(800) 245-2525 or (603) 893-8254**.

The entire LRTA bus fleet is completely handicapped accessible with 40 wheelchair lift-equipped buses providing transit service to Billerica and the Greater Lowell Region. The LRTA was one of the first transit authorities in the nation that could make this claim.

The LRTA also provides service to residents of Billerica and Greater Lowell by linking with the MBTA system at the Billerica/Burlington Town Line. **The LRTA's Billerica (BI) bus route connects with the MBTA's bus routes numbers "350" and "352" in Burlington at the intersection of Cambridge and Chestnut Streets (Route 3A). Also, the LRTA's #19 Billerica/Lahey Clinic route connects with the MBTA's A351 and A170" at the Sun Microsystems campus in Bedford, and the A350" route at the Burlington Mall.** These links make possible many connections to Boston and the northwest metro region. In addition, Greater Boston residents now have a direct bus connection to points of interest in Billerica and Greater Lowell. **For further information on this service and all other LRTA routes, residents may call 978-452-6161.**

Billerica's Representative to the Lowell Regional Transit Authority Advisory Board is Arthur Doyle.

The LRTA Administrator is Robert B. Kennedy.

BILLERICA MUSEUM COMMITTEE

In 2002 the Billerica Museum Committee made much progress in finally realizing a museum for the Town of Billerica. In the early months of the year, the Committee met with the Town Manager and the designated architect to discuss the plans for renovating the Old Howe School. In April the Committee joined with the Historical Society and Beautification Committee in dedicating the Washington Oak/Solomon Pollard Tavern memorial on the south lawn of the Howe. In June the Committee received a \$500 grant from the Billerica Plan to fund Museum keychains, which are selling well at \$5 each. A sign was erected on the front lawn of the Howe to publicize the museum renovations. In September the first issue of the Museum's newsletter was distributed and generated approximately \$3,000 in donations. Peter Kennedy was appointed by the Town Manager to research possible renovation grants for the Howe. In November a flag pole was erected to commemorate Billerica's veterans. In December the Committee participated in the Home for the Holidays celebration by decorating the front of the Howe and donating a gift basket. The Committee also ran a Lockmonsters fundraiser in December. By the end of the year, the Committee had filled all its appointment slots, minus an alternate from the Town Moderator.

WORKING COMMITTEES

Public Relations: Vacant

Membership: Helen Potter, Barbara Hagan

Fundraising: Joan Parcewski, Nicole Brien

Grantwriting: Peter Kennedy, Priscilla Di Bona, Andy Bowen

Collections: Dave D'Apice

By-laws: Mel Brown, Peter Coppinger

Building: Andy Bowen, Mel Brown, Bob Correnti

Feasibility: Joan Parcewski, Dave D'Apice

COMMITTEE MEMBERS

Selectmen Bob Correnti Alternate: Peter Coppinger

Joan Parcewski Alternate: Tom Paskiewicz

Andrew Bowen Alternate: Dave D'Apice

Historical Society Helen Potter, Treasurer Alternate: Peter Marck

Historical Commission Helen Knight Alternate: Virginia Maguire

Moderator Kevin Collins Alternate: VACANT

Arts Council Priscilla Di Bona Alternate: Mel Brown

School Committee Barbara Hagan, Secretary Alternate: Wally Bradbury

Town Manager Ron Turner, Chair Alternate: Nicole Brien

MIDDLESEX CANAL COMMISSION

The Middlesex Canal Commission, Billerica Section, continues to hold monthly meetings on the second Wednesday of each month, starting at 7:00 PM. The meetings are held in the Middlesex Canal Museum-Visitor Center located in the Faulkner Mills, Unit 12, 71 Faulkner Street, North Billerica, MA. All are welcome to come and participate in our meetings, membership is not required. (978-670-2740)

We sincerely miss Member and Chairperson Marion Potter who retired in June. Marion's Retirement Party was well attended by the townspeople and many fond memories and "Marion Stories" were related to the guests. She was also presented Proclamations from the Governor and the Billerica Board of Selectmen for her years of long service to the town, and coincidentally her birthday. Donna Doucette accepted the enormous task and responsibility of becoming Member and Chairperson for the Billerica Section.

We estimate over 1,200 guests have visited the Middlesex Canal Museum-Visitor Center in our first year of operation (July 2001-July 2002). Thanks to our unselfish and hardworking volunteers, we are still improving a beautiful facility that is being used for research, pleasure and gaining knowledge of our rich cultural history. The main exhibit room is dedicated to exploring

and illustrating the importance the Middlesex Canal held in the development of the rural countryside from Charlestown to Lowell. The Reardon Meeting Room (named and dedicated to John and Shayne Reardon for their leadership and hard work in revitalizing the museum complex) exhibits historical artifacts donated by local people that were used in the Faulkner Mills and Billerica in general. The hose reel that is part of the "Hero" fire apparatus and an original 1924 fire department staff photo is part of a display being created by the Billerica Fire Department. We have seen a constant increase in usage of the meeting room as a function facility for special occasions such as baby and wedding showers, funeral memorials, birthday parties, private tours by out of town senior citizen groups, elementary school field trips and Billerica non-profit organizations.

Phase II lighting was finalized, completing the lighting in the Meeting Room, the handicapped ramp and the main exhibit room. The Museum Store inventory was expanded to include a larger variety of souvenirs and Dianne and Russ Bone donated post cards of local interest. This expansion proved popular with the visitors and is bringing in badly needed additional funds. A contribution from Cambridge Tool and Mfg. allowed us to purchase an announcement sign, donation box, inventory price labeler and plastic bags. A carved wooden exterior sign designed by artist, Tom Dahill, was constructed and installed next to the front door of the Faulkner Mills to identify our location. The National Park Service has loaned 3 exhibit cases until needed.

Marketing brochures were delivered to the National Park Service in Lowell, Concord and Boston, as well as the Chambers of Commerce in Concord and Lexington and the Massachusetts Office of Travel and Tourism. A grant from The Billerica Plan enabled us to join the Greater Merrimack Valley Convention and Visitors Bureau and to display our brochures at the Rte. 495 Visitor Center in an effort to publicize ourselves and the many places to visit in Billerica. The Boston Globe and Lowell Sun also run advertisements in their weekly Calendar Sections announcing our hours and special events. Museum software was purchased through a grant award from the Greater Lowell Community Foundation.

To kick off the Riverfest Weekend in May, a slide and lecture presentation on organic lawncare was presented by Sudbury, Assabet and Concord River Wild and Scenic River Council. We again partnered with the Lowell National Historical Park and hosted Sunday of Canal Heritage Days at the Museum on August 11th and 12th. We entertained 300+ visitors over the weekend. One of the most popular events is the free boat ride on the Concord River provided by Concord River Environmental Stream Team members. A theatrical performance by the Atlantis PlayMakers performing "Tales of the Middlesex Canal" took place the end of August. Norm Donchin undertook the complete workload of contacting the playwright and playmakers to make it all happen. He also designed and printed the playbills and tickets. With great regret and sympathy, Yankee Doodle weekend was cancelled and we were unable to host a brunch for the Billerica, England group. A "kitchen shower and pot luck dinner" was planned as another fund raising event by Donna Doucette. We received many of the requested items as well as many donations.

A resignation letter from Andrew J. Bowen was received and accepted by the Commission. The members miss Andy's astute observations, suggestions and his many abilities that helped us build and open the Museum. Scott Lyle took over the responsibility of recording secretary of the monthly meetings.

We are always in need of new volunteers and docents. Weekend hours were reduced to 12:00-4:00 PM to accommodate our docents and we offer training sessions so all our workers are comfortable with acting as tour guides. An operations and procedures manual is being created. The Town Manager has included working at the Museum as an option for seniors needing hours toward tax abatement.

We encourage landowners to allow easements or charitable land contributions on parcels that abut the Middlesex Canal so that we might preserve an outstandingly important and shrinking piece of our history.

Respectfully submitted,
John K. Reardon, Vice Chairman and Alternate Member

Donna Doucette, Member and Chairperson

Alternate Members:
Alec Ingraham, Treasurer
Shayne Reardon, Secretary
Helen Knight
Ilana Freedman

NORTHERN MIDDLESEX COUNCIL OF GOVERNMENTS

The Northern Middlesex Council of Governments is a multi-purpose planning district, a public body corporate, formed under State enabling legislation governed by a policy board of local elected officials. Each of the nine member municipalities including: Billerica, Chelmsford, Dracut, Dunstable, Lowell, Pepperell, Tewksbury, Tyngsborough and Westford, is represented by a member of the Board of Selectmen or City Council, a member of the Planning Board and an alternate member appointed by each Board of Selectmen and in the case of Lowell, by the City Manager.

The Council maintains a staff of professional planners and technicians to assist it in developing and implementing its policies. The Council meets monthly (usually the third Wednesday of each month) at 115 Thorndike Street, Lowell, and all meetings are open to the public.

The Council acts seriously and deliberately to "make careful studies of the resources, problems, possibilities and needs of its district"...and to "... make recommendations for the physical, social, governmental or economic improvement of this district...."

Assessments upon the member communities are on an equal per capita basis and are used to provide the “local matching share” of various projects undertaken by the Council with State and Federal funds.

These funds enable the Council to undertake far more staff work than would otherwise be possible at the present level of local assessment (about 25 cents per capita). The Council’s FY 2003 budget includes \$69,227 of local assessments, which are approximately 13% of the total budget. Billerica’s share of the local commitment is \$9,388.73.

Each year the Council devotes a large portion of its efforts to transportation issues. In cooperation with the Federal Highway Administration and the Massachusetts Highway Department, the NMCOG continues to focus on transportation problems across the region. During the past year the NMCOG assisted the Middlesex Canal Commission in designing the Canal Park at the Concord River Mill Pond and in initiating Phase 2 of the restoration of the Canal. The staff continues to monitor and track the progress of the Route 3 widening project.

The Council continues to assist the Town on work related to the proposed Yankee Doodle Bikeway extending from North Billerica to Bedford, eventually linking with the Minuteman Bike Path in Bedford.

In addition NMCOG continued its traffic counting program taking over 100 traffic counts annually. In 2002 many counts were taken in Billerica. This data is incorporated into a traffic count book and map services which is distributed to local officials each year.

The staff continues to work with the Town of Billerica and the Massachusetts Highway department to advance several key projects of importance to the Community. These projects include replacement of several bridges and improvements to intersections along Route 3A.

The Council continues to provide assistance to the Lowell Regional Transit Authority in areas such as, obtaining Federal capital and operating funds, marketing to improve ridership and revenue, statistical monitoring and reporting. Direct assistance with projects such as the relocation of the transit hub to Gallagher Terminal are aimed at improving operating efficiency and financial viability, and initiation of the development of a Transit Service Plan.

With assistance of LoLaw Transit Management, Inc., the NMCOG staff continued to monitor ridership trends for the Lowell Regional Transit Authority. The Billerica Road Runner service continued to be a success with approximately 12,000 passenger trips in fiscal year 2002. The LRTA fixed route service within the Town of Billerica has approximately 76,500 passenger trips during the same period.

The Council performs a statutory review role for those projects that come under the purview of the Massachusetts Environmental Policy Act, that is, those projects whose environmental impacts are deemed to be significant and/or require State or Federal permits or funding.

The Council continues to provide demographic information and technical assistance to its member communities who request such. Billerica residents should feel free to contact Council staff who will be glad to either answer their questions or to direct them to the proper source of information. This information is also available on the World Wide Web at www.nmcog.org.

Over the past year, the Council assisted the Town in completing an Open Space Plan update.

The staff continues to prepare an Economic Development Strategy for the Northern Middlesex Region, in cooperation with the Economic Development Administration.

Respectfully submitted:

Ellen Rawlings, Councillor, Representing the Billerica Board of Selectmen
Sal Pasciuto, Councillor, Representing the Billerica Planning Board

PLANNING BOARD

The Planning Board had a busy and productive year in FY02. Besides reviewing and ruling on several subdivisions and site plan special permits, the board held public hearings and made recommendations on twenty (20) zoning by-law amendments or rezonings.

In the spring the board said good-bye to two-term member Christopher Blake and welcomed newly elected member Richrad Tortola. Sal Pasciuto, Jr. was elected Chairman, Robert C. Norman Vice Chairman and John K. Saulnier, Secretary.

In FY02, the board received one preliminary subdivision plan, which was conditionally approved. The board acted on one application for a definitive subdivision plan that was approved with conditions, representing a total of ten lots. In addition, the board took up eight (8) "Plans of Land" or "Road Construction Plans" which also create additional lots.

The Planning Board received and approved with conditions nine (9) requests for site plan special permits. Under this procedure the board reviews new construction and additions to any commercial or industrial building resulting in the creation of more than 5,000 square feet of gross floor area.

The board processed several requests to modify definitive subdivision plans or site plan special permits.

The board approved eleven (11) approval not required (ANR) plans in FY02. ANR plans represent a division of lands into two or more lots, each with sufficient frontage and adequate access on either: 1) a public way, 2) an approved subdivision, or 3) an adequately constructed

road in existence prior to subdivision control. These plans are exempt from the subdivision approval process.

The board took up several requests for Bond Releases, Permission to return to the Board of Appeal, Scenic Road Permits, Bond Acceptances and Bond Reductions.

During this period the board worked with the Zoning By-Law Review Committee with their efforts to do a complete by-law revision. Several of the Committee's final recommendations were taken up and approved at Fall Town Meeting. Robert Norman, the Planning Board representative to the committee and Peter Kennedy, Director of Planning, worked with the committee on this project.

The board would like to express our appreciation to Peter D. Kennedy, Director of Planning, and Barbara G. Norman, Secretary and the many departments with which we work.

The board and staff are available to any individual who may need assistance with any matter concerning the Planning Board,

Respectfully submitted,

Sal Pasciuto, Jr. Chairman
Robert C. Norman, Vice Chairman
John K. Saulnier, Jr. Secretary
Donna L. Doucette

Paul A. Marasco
John K. Saulnier
Richard Tortola

BILLERICA POLICE DEPARTMENT

The Billerica Police Department is pleased to submit this Annual Report for the fiscal year 2002. This department has continued to serve the Town of Billerica with traditional police services as well as providing a wide array of other services.

Our Community Policing Program includes A School Resource Officer, R.A.D. (Rape Aggression Training), PAL (Police Athletic League), Crime Prevention, and Elder Affairs including a senior safety academy, Neighborhood Watch, and Bicycle Patrol.

The School Resource Officer Program will operate in the High school and middle schools. Throughout the year PAL continued to be successful in forging new relationships with the youth of the community. The PAL program continued to operate programs in conjunction with the Recreation Department such as floor hockey, flag football, and skiing activities in order to keep our youth involved in positive activities.

Bicycle patrols have continued to be successful in areas such as parks and playgrounds. They also played a role in helping to enforce regulations on all terrain vehicle use.

The Traffic Safety Division has continued to provide specialized enforcement in key areas throughout the town, as well as continuing to provide school bus safety programs within the Billerica Schools. Traffic safety also began a bicycle helmet program with funding provided by the State Executive Office of Public safety.

The Billerica Police Department logged 22,629 calls for service during fiscal year 2002, including:

- 540 arrests
- 4141 motor vehicle citations issued
- 220 parking tickets issued

The calls for service are broken down as follows:

911 Calls	2889
Alarms	2608
Animal Control	400
Arrest – Warrants	96
Arson	3
Assault/battery/dang weapon etc.	69
Attempt to commit crime	7
Bicycle stolen/recovered	30
Burglary of MV/B&E	61
Check of area-person/building	749
Checks – Bad	10
Domestic	552
Counterfeiting / forgery	3
Disorderly / conduct, persons	701
Disturbance / Dispersals	1109
DPW	202
Drug violations	40
Dumping – illegal	34
Escape	0
Embezzlement	0
Explosion	0
Fire notification	131
Fireworks complaint	77
Fraud – all	40
Gas odor	26
Firearms Stolen/Recovered/shots heard	18
Hazardous material	15
Health – public health problems	6
Intelligence – drugs	7
Internet crimes	11

Intoxicated person	22
Juvenile matter – missing/runaway/other	142
Kidnapping – spousal/custody	9
Larceny/Theft - all types	378
OUI	38
Lockout	12
Lost and found	76
Medical	2067
Motor vehicle accidents	1285
Motor vehicle violations/disabled/towed	1246
Mini bike/ATV/snowmobile	234
Motor vehicle theft/recovery	64
Motor vehicle accidents	1285
Motor vehicle violations/disabled/towed	1246
Mini bike/ATV/snowmobile	234
Motor vehicle theft/recovery	64
NEMLEC radio check	156
Notification made/msg left	112
Prisoners provided with meal	145
Missing person/adult	10
Parking complaint	86
Peeping tom	0
Phone calls – harassing/obscene/phony call	98
Police information / general request	369
Power failure/wire down	98
Road rage	32
Roster – shift assignments	1098
Selectman's papers delivered	206
Sex crimes/attempts	13
Stolen property General/recovered	7
Summons/ warrants/209A service	369
Suspicious activity – motor vehicle/persons	1,788
Threats – bomb- to kill/ susp. Package	125
Town property damaged/ By law violations	12
TPF/SOU Call out	15
Traffic control assignment	9
Traffic hazard	204
Transport prisoner to court	142
Trespass real property	7
Vandalism destruction/damage of property	555
Weapons/bb gun/ hunting/ law violation	20
Weapons turned in	8

Funds Collected F/Y/E 6/30/02

Account	Account #	Amount
Administrative Fee	12108-43226	\$ 55,549.43
Dimension Display	29430-4000	\$ 2,846.00
Insurance Recovery	29050-4000	\$ 19,784.79
Lowell District Court/Treas. Receipts	12108-46950	\$ 13,565.50
Photos/FID & Pistol Permits	21020-5400	\$ 530.00
Police Report Copies	12108-43212	\$ 1961.00
Registry of Motor Vehicles	12108-47701	\$ 124,901.50
ATV fines	12108-47702	\$ 100.00
Parking tickets		\$ 340.00
Restitution	12108-46950	\$ 3,375.00
Special Police Details	3500-4014	\$1,144,486.19
Warrant Removal Fees	12108-46950	\$ 950.00
Van Meter Assoc.	12108-46950	\$ 180.00
Total		\$1,368,569.41

On behalf of the Billerica police department, I would like to thank each town department who worked cooperatively with us during the year. Additionally I would like to thank the residents who have supported the police department throughout the year and look forward to working with them in the future.

Respectfully submitted,
Daniel C. Rosa, Jr.
Chief of Police

BILLERICA PUBLIC LIBRARY

Another record-breaking year has come to a close at the Billerica Public Library. More than 290,000 items were borrowed during FY'02 and nearly 250,000 people visited during the year. This represents a 14.5% increase in circulation over FY '01 and a 41% increase since moving to the new library. Our new facility, now more than two years old, has been a tremendous success story.

Continuing our tradition of strong children's service the Children's Room held more than 200 story hours and 75 special programs attended by nearly 16,000 children, parents and caregivers. Our Young Adult programs flourished as well. Twenty-five special events geared to teens attracted nearly 1000 eager young people. Programs included book discussions, a pet show, a recreation of the popular TV show "I Want to be A Millionaire", a workshop on handwriting analysis, a comic book workshop and more. The Children's Room also received a \$7500. Federal grant to develop early literacy kits for teachers and parents.

A new focus on adult programming met with great success this year. Lectures on Digital Photography, Old Radio Shows, Treasures in Your Attic and many more were held free of charge to capacity crowds. Computer training classes have been very popular as well. Courses in basic Internet, Windows, Microsoft Word and Excel have been well attended.

We added 68 additional data connections around the library that allow patrons to access the Internet with their laptop computer from virtually anywhere in the library. A new software upgrade consortium-wide has made possible a number of new patron enhancements. It is now possible for users to access their library account from home or at the library, check their card status, place holds on books and other materials and access the card catalog and various on-line databases.

The Friends of the Library were busy as well. A second Commemorative Brick Campaign yielded a nice profit for the Friends and added another 300 engraved bricks to the Concord Road walkway. The quarterly Bottle and Can drives netted \$4000 this year for the Friends and the membership drive raised another \$4000. Other ongoing fundraising events such as the Ice Cream Sundae Night, the semi-annual Book and Bake Sales, the Evening of Wine Tasting and others made it possible for the library to offer special programs and services such as museum passes, children's performers, adult programs and lectures which would not be possible through our municipal budget. In total, the Friends supported the library's efforts to the tune of more than \$30,000.

We continued to reach out to the community through our two newsletters. "Library Link is published quarterly by the Friends of the Library. The other monthly newsletter "The Story Garden News" features all of the goings on in the Children's Room. Our Outreach Services continued to bring books and other library materials to nursing homes, shut-ins, daycare and nursery centers and elderly housing facilities. In addition to delivery services, we also brought the library message to the summer parks program and to the Boys and Girls Club summer camp. Our monthly TV show, Library Lowdown and our weekly column in the Billerica Minuteman continue to keep the community abreast of library services and programs.

Once again this year, we relied tremendously on the generous help of our faithful volunteers. Hundreds of hours of assistance were donated to help us keep pace with our daily operations. Thanks to all of them for their support. I would like to express my sincere appreciation to the library staff whose dedication is the key ingredient in our success. These talented individuals provide highly quality service each and every day. Thanks are also due to the Library Trustees for their continued guidance and encouragement.

Economic challenges will test us in the coming year. It is my hope that we can sustain our progress and further develop the library as the educational, cultural and recreational resource that the community has come to rely on. We are up for that challenge and look forward to continued success.

Respectfully submitted, Barbara A. Flaherty, Director

DEPARTMENT OF PUBLIC WORKS

The Department of Public Works continued providing services to Town residents such as roadway and drainage maintenance, snow plowing, tree cutting, field maintenance, construction administration, and water and sewer treatment. Many improvements were made to the operations this year with the acquisition of new equipment for brush cutting, front-end loader, and four 40,000# GVW sander trucks. Our Water Treatment Plant at Boston Road produced an average of 4.88 MGD (million gallons per day) of drinking water this year, while the Waste Water Treatment Facility at Letchworth Avenue treated an average of 2.65 MGD.

This year was another period of high construction activities throughout Town. Completion of sanitary sewer construction under contracts 31A (Content Brook), 31B (The Pines) and 31C (throughout town) brought sewer service to over 400 homes. Design of sewer contract 32 (River Pines Phase I) was completed and construction is expected to start in the fall of 2002.

Under our Roadway Management Program, the largest road paving and reconstruction contract to date was completed. Local and State funds were combined to improve 39 streets in Town, in addition to crack seal and patching of numerous other streets.

Mass Highway under separate contracts started construction of the River Street Bridge and the George Brown Street Bridge.

The Lexington Road Culvert and the Cook Street Culvert were completed during this fiscal year. Additionally, the Drainage Master Plan Phase I was finalized providing the tools for planning of all future drainage work.

The newly completed Fox Hill Cemetery expansion provided 4,700 new gravesites.

The new Water Treatment Plant design was substantially completed and permits were close to being obtained for this project. Construction is anticipated in 2003.

I would like to thank all Public Works employees whose efforts go many times unnoticed. As we complete this year I look forward to new challenges and new improvements to our infrastructure as well as our operations for the next year.

Reports by the individual Division Superintendents follow.

Respectfully submitted,
John G. Sanchez, P.E.
D.P.W. Director

ENGINEERING DIVISION

During the fiscal year 2002, the Engineering Division continued with the implementation of the Pavement Management Program.

Under the continuation of Roadway Management Contract 00-R02 and 01-R01, the following roads, or portions thereof, were repaved and/or reconstructed:

Berry Street	Otter Circle
Bonnie Lane	Partridge Road
Casey Street	Pasho Road
Concord Road (Shim Coat)	Payson Road
Cook Street (Shim Coat)	Peach Avenue
Cynthia Road	Pheasant Road (Shim Coat)
Fredrickson Road	Pinedale Avenue (Shim Coat)
Frost Street	Poe Road
Grandview Road	Pond Street (Shim Coat)
Gray Street (Shim Coat)	Porter Street
Handel Road	Pratt Street
Hearthstone Circle	Surrey Lane
Highview Road	Tracy Circle
High Street (Shim Coat)	Theodore Court
Jennings Road	Tirone Point
Knowles Drive	Tomahawk Drive
Lisa Road	Violet Road
Lorraine Terrace	Weathervane Road
Manning Road	Wildbrook Road
Meade Road	

Preliminary studies were completed and initial design began on the reconstruction of roadways in the Deer Run Estates subdivision. This work will possibly include new types of traffic calming measures as a means of improving safety for both pedestrians and drivers using these roads.

Plans were completed on approximately 60 unaccepted roadways in an effort to accept these roads to allow them to be part of the towns roadway management program.

Design plans and contract documents were finalized for the construction of a sidewalk on Baldwin Rd (Contract 02-R04).

Improvements to Vietnam Veterans Park were the focus of two contracts. Under Contract 01-W01 a new water main and electrical conduits were designed and constructed along the existing access road. Under Contract 02-R02, roadway reconstruction and landscaping enhancements were designed.

Drainage Contract 01-D02 was designed and constructed. This contract addressed two drainage concerns:

- The replacement of an existing culvert on Lexington Road near Lake Street
- The improvement of an existing culvert and channel, as well as the addition of a new culvert on Cook Street near McHugh Avenue

The replacement of an existing culvert on Lexington Road near Lake Street

As part of the ongoing plan to provide sewer service to unsewered areas of the town, construction on the following Sewer Contracts was completed:

- Sewer Contract 31A, servicing the Content Brook area
- Sewer Contract 31B, Servicing the Pines area in Pinehurst
- Sewer Contract 31C, Servicing various regions of the Town

We continued to work with Mosquito Control in coordinating stream and culvert cleaning.

Additionally, we continued to provide plan reviews and inspections on subdivision construction as well as construction of roadwork required under the adequate access by-law.

As always, we continued providing services to the general public and private consultants. These duties include making copies of maps and plans, providing benchmark information, sewer stub locations and project information as well as many other tasks.

Sincerely,
John R. Livsey, P.E., Town Engineer

HIGHWAY

During FY 2002, The Highway Division provided necessary services to maintain the Town's roads and drainage systems, in order to provide greater public safety throughout the Town.

While this winter did not have excessive amounts of snowfall, there were six plowable events, as well as numerous ice and slush events, requiring extensive salting. The Highway Division worked long hours throughout these events to maintain a safe roadway system for the residents of Billerica.

In addition to emergency response and maintenance in times of inclement weather, the Highway Division also responded to emergency calls from the Police Department, and other Town Departments, to supply assistance in cases of traffic and other emergency situations.

The Highway Division performed regular day-to-day maintenance of the Town's roadway and drainage systems. The maintenance of the roadways included patching of failing areas of pavement, filling of potholes, replacing damaged pavement and berm, grading of gravel roads, crack-sealing roads to extend pavement life, patching of trenches from water breaks and Town drainage work, sweeping sand and debris from roadways, and repair of guard rail, as well as responding to resident concerns over various situations.

The maintenance of the drainage systems included the rebuilding of numerous failing catch basins, placing new catch basins, repairing damaged drainage pipe, and installing new drainage pipe, at 65 problem areas throughout Billerica, and cleaning of 3,102 existing catch basins, and flushing out various problem drainage systems.

Another important aspect of work completed by the Highway Division is the maintenance of Town signs, roadway striping, and street signal lights. This included the replacement of damaged or missing signs and installing new signs, and repainting of crosswalks, stop lines and road centerlines, as well as maintenance and repair of Town signal lights. These items are extremely important in order to maintain a high level of public safety.

The Highway Division continued to administer the street opening permit process, allowing inspection of all work done on Town roads by developers, contractors and homeowners, ensuring proper materials and methods were used in all work. This also protected the integrity of the roadway system, allowing for strict control of required repair methods used at all locations of work. No work is allowed on newly paved roads for a 5 year period following paving, except as needed for emergency repairs of existing utilities.

The Motor Equipment Repair section of the Highway Division continued to maintain the DPW fleet of vehicles, including maintenance and repair of town cars, trucks, plows, sanders, and heavy equipment. The Motor Equipment Repair section of the Highway Division also administered the Town's waste-oil recycling program.

I would like to thank all Highway Division personnel for their hard work throughout the year, often working long hours, in order to serve the residents of Billerica.

Respectfully submitted,
Stephen Robertson, Highway Superintendent

CEMETERY, PARKS & TREES DIVISION

The Cemetery Section of this division is responsible for the operation, maintenance and expansion of the Town's cemeteries. There are six cemeteries that are maintained by the Town: Fox Hill, North, South, Job Hill, Old North, and the Rogers Family Tomb. There were 179 burials in FY 2002. Town residents may only purchase gravesites. At this time, graves are not

sold pre-need. The recently completed expansion of the Fox Hill Cemetery provided 4,700 new graves. A total of \$131,105.00 in perpetual care fees was deposited into the Town's general fund for FY 2002.

The Parks and Trees Section is responsible for removing all dead trees on town property, as well as those that pose a danger to the public. Responsibilities include trimming and cutting back brush on Town roadways. Other duties include maintenance for the Recreation Department including baseball fields, soccer fields and The Lampson complex.

Other areas maintained are the Town Common, Library, Town Hall, Korean Veterans Memorial, the Talbot Oval, Police Station, Kids Konnection, and twenty-five different squares located throughout the Town.

All of the division's personnel provide many other services such as hanging banners, emptying trash receptacles, assisting other divisions with snowplowing and other duties.

The division also provides the service of treating the Town's catch basins with larvicide in an attempt to eradicate Culex Mosquitoes that carry the West Nile Virus. Approximately 4,000 catch basins were treated in the spring and summer of 2002.

Respectfully submitted,
Charles O. Faria, Superintendent, Cemetery/Park/Tree Division

WASTEWATER DIVISION

During fiscal year 2002, the Billerica Wastewater Treatment Facility continued to operate within its NPDES Permit requirements. Generating a quality effluent, which is discharged to the Concord River downstream of the Water Treatment Plant. The Wastewater Treatment Plant recycles its biosolids (sludge) into exceptional, marketable quality compost, which is sold commercially to landscapers and topsoil manufacturers and given away to Billerica residents. The Wastewater Division is also responsible for responding to homeowner calls that may involve blockages, or broken sewer mains and odor complaints. We also issue all the sewer permits necessary for connecting a home or industry to the collection system.

In 2002, the Billerica compost facility marketed over 4,000 cubic yards of compost and 2,000 cubic yards of mulch material. The Wastewater Treatment Plant in conjunction with the Cemetery, Parks and Trees Division started accepting yard waste from local homeowners only – no commercial drop off is allowed. The program was designed to take tree branch limbs and brush (no leaves or stumps) during the spring and fall. The dates have been and will be in the local papers and BATV. The material is then ground into mulch for local residents to take free of charge. This program will be on going.

The staff at the Treatment Plant conduct tours and hold classroom discussions about wastewater treatment plant operation with the elementary schools in town.

The average daily flow for 2002 was 2.65 million gallons per day (MGD). The treatment plant has a design capacity of 5.5 MGD. The daily flow will be gradually increasing as the Town continues to install sewer lines. There were 329 existing residential sewer connection permits issued in 2002, as well as 22 new construction permits, 6 commercial and 3 industrial sewer permits issued, totaling 360 tie-ins to the collection system.

The Town has many industrial users, which contribute significant flows and/or pollutant loading to the Letchworth Avenue WWTF. Since 1985, the Town has been implementing an *Industrial Pretreatment Program*, which was approved by the U.S. Environmental Protection Agency. Under this program, the Town has issued wastewater discharge permits to 20 industries with a combined total 300,000 gallons per day of process wastewater. The permits contain specific discharge limitations, and monitoring and reporting requirements to ensure the safety of wastewater collection system and treatment plant personnel, the proper operation of the WWTF, compliance with the WWTF's NPDES permit and quality of the biosolids compost. The permitted industries include:

Aotco Metals, Inc.	Welch Foods, Inc. – A Cooperative
ASE Americas, Inc.	Vivirad High Voltage
AVE Massachusetts, Inc.	Kokusai BTI
Axsun	Minntech
Bristol-Meyers Squibb Pharm.	Nutcracker Snacks, Inc.
Baker Commodities	Roy Brothers
Bard Cardiology – C.R. Bard, Inc.	Sipex Corp.
BNZ Materials, Inc.	Nortell Networks
Cabot Corp.	Millipore
Cambridge Tool & Manufacturing Company	

During the fiscal year 2002, six (6) notices of violations were issued. They were to the following industries: Millipore, Minntech, Nortell and Roy Brothers, Inc. (3). All this information was published in the Lowell Sun in February 2002 in accordance with the 40CFR Regulations. It should be noted that all Notice of Violations with the exception of Roy Brothers, Inc., were issued for reporting discrepancies. It should also be noted that all of these issues have been resolved to the complete satisfaction of the Town of Billerica. It was necessary to assess only one monetary fine of \$500.00 to Roy Brothers, Inc.

New five-year industrial permits were issued to Kokusai BTI, Nutcracker Brands, Inc. and Welch Foods incorporating the fee schedule approved by the Spring 2002 Town Meeting. Other cost recovery methods incorporated into existing permits have generated additional revenue for the Town, such as including industrial expansion into the Plant Expansion category.

Respectively Submitted, Arthur Malcuit, Wastewater Superintendent

WATER DIVISION

During the 2002 fiscal year 1.78 billion gallons of water were pumped from the Treatment Plant to the Distribution System. This year's highest daily pumping occurred on August 2, 2001 with 9.39 million gallons produced. The average day volume this year was 4.88 MG (million gallons). Monthly pumping data for the fiscal year is listed below:

Month Pumping Totals					
Month	Pumped MG	Month	Pumped MG	Month	Pumped MG
July 01	226.34	Nov. 01	127.85	Mar. 02	119.58
Aug. 01	213.11	Dec. 01	105.92	Apr. 02	122.57
Sept. 01	183.14	Jan. 02	122.26	May 02	153.55
Oct. 01	121.14	Feb. 02	110.60	Jun. 02	174.31

Following are the results of our routine quarterly testing for THM. Our running annual average for this group of contaminants is also given below. The Maximum Contaminate Level as of January 1, 2002 is 80 and we were required to begin the Running Annual Average. The use of ammonia in conjunction with chlorine has lowered the THM levels being found at our four sampling sites.

THM Levels		
Period	Quarter's Average	Running Annual Average
April - June 2001	41.0 ppb	31.5 ppb
July - Sept. 2001	57.8 ppb	33.7 ppb
Oct. - Dec. 2001	32.5 ppb	37.0 ppb
Jan. - March 2002	39.3 ppb	9.8 ppb
April - June 2002	37.0 ppb	19.1 ppb

The permitting process for the new water treatment plant continues.

Town wide flushing of the Distribution Works was undertaken in July 2001 and October 2001. The flushing consisted of opening hydrants on dead ended mains. Whenever possible these were opened fully.

During the fiscal year numerous hydrant were painted and other forms of maintenance performed. The condition of thirty-nine hydrants warranted replacement rather than repair, this work was carried out by the Water Division Staff, additionally six hydrants were replaced by contractors.

Our staff repaired 28 water main breaks during the year and performed many repairs to service lines and curb boxes.

Sixty-eight new service installations were inspected and approved and seven old services were reactivated.

Respectively Submitted, John McGovern, Water Superintendent

RECREATION DEPARTMENT

Billerica's Recreation Department continues to play a central role in defining the Town's quality of life. Recreation has become the common ground upon which people from all ages, backgrounds, interests and abilities gather to play and participate in the life of the community. The primary directive of the Recreation Department is to offer low cost recreational programs, trips and special events to the citizens of Billerica. Our recreational, educational and cultural programming reflects the interest and diversity of our community. We are committed to improving parks and recreation facilities to ensure a safe and pleasant experience for visitors.

The Recreation Department offers programs year round. Programs are published quarterly (winter, spring, summer, & fall) in a brochure, which is mailed directly to each household. This past year we also distributed information to citizens through flyers to the public schools; listings on BATV; mailing to residents on request; and publishing information in the local papers. We offer more than 130 programs each quarter and about 100 special events and trips throughout the year. These recreational offerings range from pre-school programs for the very young to weekend trips, which are popular with adults of all ages. Our Neighborhood Parks and SuperStars programs enjoyed a great success serving over 700 children each week this past summer. There were many new and expanded recreational programs; special events and trips offered this past year. Micozzi Beach continues to offer residents a great summer escape from the heat. The beach has a new children's playground, sand volleyball court, canoe rentals, picnic area and swimming. This past summer we completed and opened a water-playground and restroom facility at Warren Manning State Park. This was a great hit with children and their families as they sought relief from the heat.

The Recreation Department continued its partnership with the Billerica Police Department's Community Police Unit (DARE, PAL) to offer programs to the youth of Billerica. The PAL flag football, street hockey, and basketball, Friday night ski programs continue to attract new participants and provide positive activities for teens while interacting with police officers in a recreational activity. Billerica's BMX Race Track had a very successful first year of operation. BMX racing is a fun activity that the whole family can participate in whether as a racer, spectator, pit crew or track volunteer. For more information, check out our web page at www.billericabmx.com. Join us this spring as we kick off our second season of BMX racing in Billerica. The Massachusetts Recreation and Park Association presented the Community Police Unit with a Special Citation for their outstanding work with the Billerica Recreation Department on behalf of the youth of Billerica in November of 2002. Officers' Greg Katz, John Mullen, and Dale Sarno were recognized specifically by MRPA for their contributions to the success of this partnership.

Yankee Doodle Homecoming Weekend celebration continues to be an exciting and enjoyable weekend for the citizens of Billerica. This weekend has grown each year and has become an event that families look forward to each fall. A special tribute honored America's heroes. The Billerica Health and Recreation Fair held each spring promotes active living and healthy lifestyles. Visitors can learn about various health organizations, have their blood pressure

checked, ask about how to start an exercise program, learn about protecting your family in the event of a fire, and so much more. Earth Day provided visitors with environmental and recycling information, as well as tours of Billerica's hidden treasures. Billerica hosted the Hershey Track and Field Meet for over 100 local youth in June and the Massachusetts Hershey Track and Field Meet in July. The Recreation Department hosted a Special Olympic Unified Golf Tournament at the Country Club of Billerica in August. Special Olympic athletes from all over the State participated in the special golf event. Athletes from Billerica's Special Olympic Team competed at local, state and national events. The Friends of Billerica Recreation, Inc. once again offered their very popular Breakfast with Santa, Breakfast and Egg Hunt with the Easter Bunny, and the Dog Days Family Golf Tournament. This year we are offering a new event The Shamrock Ball an evening of dancing and fun for fathers and daughters.

Vietnam Veterans Park has a new entrance, information kiosk, trail improvements, children's playground and improved parking area. A grant from the Massachusetts Tourism Bureau has allowed us to purchase new memorial markers for those individuals from Billerica who lost their life during the Vietnam War. The Yankee Doodle Bikeway Committee continues to work on the conversion of an abandoned railbed to a bike trail that would link Billerica to the Minutemen Bikeway in Bedford. With the re-construction of Route 3 the Manning Street bridge was designed to accommodate bike traffic. We are working to identify bike route throughout Billerica. The Recreation Department continues to work with the Billerica Conservation Commission, DPW – Engineering, Assessors Office and the Public Access Board to identify and develop public canoe access to Billerica's rivers and Nutting Lake. An ongoing agreement with the Commonwealth of Massachusetts - Department of Environmental Management authorizes the Departments management of the Manning State Park.

Capital funding for improvements to recreation and park sites helped to install lights this past year on the football field at the Lampson Recreation Complex. The Town's recent purchase of seven acres of land adjacent to the Lampson Recreation Complex will provide us with the opportunity to improve parking at the site and provide additional recreational activities. The Kohlrausch Park rehabilitation was completed and rededicated in September of 2002. The Massachusetts Recreation and Park Association honored the Billerica Recreation Department with a special award for Design of Facility – Kohlrausch Park in November. The park has become the pride of the neighborhood and the children love to play there. The Marshall Middle School Complex renovation project has been completed. We now have a new baseball, softball, and soccer fields that will be available next season for both high school and youth team athletes. Youth organizations in Town continue to assist with field improvements and maintenance. The Friends of Billerica Recreation, Inc. provided recreational scholarships to many individuals and families in Billerica.

The Recreation Department does not own its own recreational facility and therefore must depend on the cooperation of the School Department, business and civic organizations to schedule program sites. This continues to impact the cost of our programs, the time of programs and number of citizens that we can serve. The development of a Recreation Center for the Town of

Billerica is a major goal of the Recreation Commission. Billerica residents deserve to have a vibrant and effective facility in which recreational programs can be offered.

Volunteers play a critical role in enabling the department to achieve its goals. They provide direct and indirect opportunities and supports to participants in our programs. This past year we were fortunate to have four Boy Scout Eagle candidates from Troop 55 and 53 complete projects. The Recreation Department has received support from the business community allowing us to offer specialized programs and activities for the continuous enjoyment of our citizens, businesses and visitors. We are looking to continue our public/private partnerships in order to maintain and improve the rich diversity of programming which help to make our community special.

The Recreation Commission would like to thank to the employees and volunteers of the Recreation Department for their continuous commitment to improvements in the quality of programs offered to the citizens of Billerica. A very special thanks to Town Departments, Commissions, Organizations, Businesses and individuals who volunteer there time and support to ensure that the programs, trips and special events are an unquestionable success. A special thanks to our youth groups for their support and assistance with field maintenance.

Respectfully submitted,
John Bartlett, Chairman, Billerica Recreation Commission
Joseph Higgins, Jr., Director, Billerica Recreation Department

BILLERICA RECYCLING COMMITTEE

The Billerica Recycling Committee meets monthly to assess the needs and work on improvements to the town's recycling program. Residents interested in joining the Recycling Committee or volunteering for special events are urged to contact the Regional Recycling Coordinator, Courtney Benedict at 978-670-9449.

Billerica, Burlington, Tewksbury and Wilmington were awarded a Municipal Recycling Grant for Technical Assistance to fund a full-time dedicated recycling staff position in the region. As Recycling Coordinator, Courtney Benedict will focus on outreach and implementing new recycling initiatives over the coming year. The Billerica Recycling Committee feels the addition of an employee dedicated to recycling issues will make a significant impact in raising awareness in the community.

The recycling drop-off for automobile tires and batteries took place every third Saturday from March through October at Holland Auto Parts on Winning Road in N. Billerica. Removed from the waste stream were a total of 600+ tires and 228 batteries.

Monies realized from the sale of recycling bins and various grants have been used to purchase recycling bins, compost bins and recycling stickers. Large recycling stickers for alternative recycling containers were purchased and are available free to residents. The committee

appreciates the help of Barbara Norman in the Planning Board office for the handling and distribution of 142 recycling bins to residents this fiscal year.

The Household Hazardous Waste collection held in October 2001 was very successful. The Recycling Committee thanks the Board of Health and Director John W. Morris, the League of Women Voters and the Department of Public Works for a job well done.

The Town's recycling weights in FY 2002 for commingled containers (glass, plastics, and metals including aluminum and steel/tin cans) was 478.66 tons and mixed paper (office paper, newspapers, magazines, catalogs, junk mail, cardboard and paperboard) was 1648.78 tons which represents a total increase of 14 % over FY 2001. In addition, 183.54 tons of white goods were collected.

The Recycling Committee looks forward to continuing work on raising awareness in the community and improving our recycling efforts.

Respectfully submitted,
James F. O'Donnell, Jr., Chairman

BOARD OF REGISTRARS

In accordance with Massachusetts General Laws, the Board of Registrars hereby submits its report for the Fiscal Year ending June 30, 2002.

As mandated by State Law, the Annual Town and School Census was conducted in January. During the first week of January, Census forms were mailed to all residences in Town. Once the forms were returned, the information was updated in our computers. It is important that these forms be returned in a timely manner as the information is critical for voter list maintenance, school enrollment projections, public service planning, residency purposes, State Aid calculations, etc. Prior to June 1st of each year, the information must be provided to the Jury commission (mandated by M.G.L.) for Jury Pool selection.

Following the results of the 2000 Federal Census, Billerica was mandated to redraw the voting precinct lines. The increase in population meant going from ten precincts to eleven. Notice was included on the 2002 Census form indicating the precinct and precinct location of that address. Postcards were also sent to all voters who were affected by the Redistricting. The new eleven precincts were first used at the 2002 Town Election. The transition went very smoothly.

One Election was held in FY 2002, the Town Election on April 6, 2002. Voter turnout continues to be a problem.

The number of voters on file for the Town election in 2002 was 21,473 and by precinct the numbers were as follows:

Precinct 1	1193
Precinct 2	1975
Precinct 3	1983
Precinct 4	1953
Precinct 5	2227
Precinct 6	1481
Precinct 7	1801
Precinct 8	2129
Precinct 9	1976
Precinct 10	2095
Precinct 11	1860

The breakdown was as follows:

Democrats	7176
Republicans	2817
Un-Enrolled	11290
Libertarian Party	144
Interdependent 3 rd Party	18
Reform Party	13
Green Party	12
New Alliance Party	1

Patrick Trainor was re-appointed to a three-year term on the Board of Registrars ending March 31, 2005. John Conway was re-elected to serve as Chairman for the ensuing year. The Board Members covered the Registrars Office on Election Day; assisting until the polls closed and the voting machines were back in the town Clerk's office. The Board also assisted at the Special Voter Registration sessions held prior to the Election.

The Board wishes to acknowledge and thank all who have assisted them during the year. Special appreciation goes to Senior Clerks Jeannette Rohnstock and Margaret DiPietro for their dedicated and professional service to the residents of Billerica. They keep the office running smoothly.

Respectfully submitted,
John Conway, Chairman
Board of Registrars

RULES COMMITTEE

The Committee on Rules met to consider six Articles to the 2001 Annual Fall Town Meeting. Articles 35,36 and 38 sought to create a Commercial Wireless Facilities Review Committee, a committee to research and report on the possible construction of a WWII Veterans Memorial and a committee to review the Adequate Access By-Law. The Committee on Rules recommended all three Articles. The Committee also recommended the adoption of the revised General By-Laws, as presented by the General By-Law Review Committee, and the repeal of the General By-Laws of 1994. The Committee also recommended the extension of the General By-Law Review Committee until the 2002 Annual Spring Town Meeting.

The Committee on Rules met on April 17, 24 and May 1, 2002 in the Henry Collins Hearing Room to consider seven Articles to the 2002 Annual Spring Town Meeting. The Committee voted to recommend the creation of a Communications Committee to be made up of the present Commercial Wireless Communications Review Committee. This will be a permanent committee. The Committee also recommended three Articles that sought to make changes to Article 8 of the General By-Laws and two Articles that sought to dissolve the following committees: Industrial Development Finance Authority, The Billerica Residents Monitoring Committee, The Civic and Convention Committee, The Mapping Commission, The Ombudsman Committee, The Septage Disposal Committee and The Development and Industrial Commission. The Committee did not recommend the adoption of and Electrical By-Law. The Committee felt that the by-law, as it was presented, would have been redundant and an unnecessary addition to the General By-Laws.

The Committee held it's annual reorganization meeting on June 19, 2002 in the Henry Collins Hearing Room. The Committee elected David Gagliardi to serve as Chairman, Dorothy Callihan to serve as Vice Chairman and Marie Loughlin to serve as Secretary.

Respectfully Submitted, David A. Gagliardi - Chairman

BILLERICA SCHOLARSHIP FOUNDATION COMMITTEE

The Scholarship Foundation was established by Town Meeting to provide for a mechanism for the Town to collect donations and raise funds for scholarships. In addition, the Foundation has become the clearing organization for the many individual, family and corporate scholarships.

Celebrating our 15th year, the Foundation is please to report \$605,742 in Endowments along with \$113,528 in Assets. One hundred forty (140) individual scholarships were awarded in June, 2002 to Billerica Memorial and Shawsheen Technical High School students and to several other Billerica residents totaling \$109,000.

The Foundation Committee consists of Dale Hoar, Chair; Liz Berube, Vice-chair; Dot Murray, Secretary; Pat Annunziata, Assistant Secretary; Maureen Sullivan, Treasurer; Judi Ciampa, Assistant Treasurer; Mary Aborn-Hyatt, Corresponding Secretary; Christine Dunleavy,

Publicity Chair; and members Alice Berry, Susan Blinn, Susan Capaldo, Barbara Davis, Ed Giroux, Elaine Horlink, Delores King, Mickey Ouellette, Ellen Day-Rawlings and Ruth Siraco. Ex officio members are Dr. Robert Calabrese, Superintendent of Schools and David Genereux, Town Treasurer.

The committee acknowledges the outstanding support of the Board of Selectmen, Town Administration, Town Meeting members and especially the residents and businesses of Billerica for their continued support in the many committee activities and fundraising events.

SEPTAGE DISPOSAL STUDY COMMITTEE

On May of 1998, a septic disposal committee was formed consisting of 7 members. The committee was established to explore the means of disposal for those households on septic where the municipal sewer is not available.

As reported by the study committee in the Annual Report for fiscal year 2001, the town of Billerica may never reach its goal of 100% of Billerica residents served by town sewer. It now appears the House of Correction permits for sewer disposal may not be available for the town of Billerica making a possible disposal site for Billerica residents septage very unlikely at that location.

In meeting with the manager, suggestions were made for an alternative site and also a new approach for Billerica residents is being studied!

Respectfully submitted

Ed Bunker - Chairman; appointed by Sewer Commission
Donald MacDonald – Vice Chairman; appointed by Town Moderator
Lillian (Joy) Arsenault – Secretary; appointed by Board of Selectmen
Richard Berube – appointed by Board of Health
Malcolm McDowell – appointed by Board of Selectmen
Roger Nowicki – appointed by Sewer Commission
Michael (Tom) Revane – appointed by Town Moderator

SEWER EXTENSION COMMITTEE

The Sewer Extension Committee is composed of five (5) members, who are appointed by the Town Manager, Richard A. Montuori. The members are as follows:

John F. Gray, Jr.	Chairman
Roger A. Nowicki	Vice-chairman
Paul A. Odierno	Secretary

Edward Bunker
William Loughlin

Member
Member

The Sewer Extension Committee has the sole responsibility of planning and directing all of the town's lateral sewers. The committee held several public hearings during the year 2001. Discussions were held with regard to funding and future planning of the town's sewer system. The committee voted in 1999 to have lateral street sewers installed in 1,246 homes on 100 streets for the calendar year 2001 and 2003.

In the past year the committee has been monitoring the construction of the lateral sewer lines in the Town of Billerica. Contracts 31A for East Billerica and 31 B for The Pines in the Pinehurst area have been completed. The first phase of the looseend contract has also been completed.

Contract No. 32 has been awarded to Roads Corporation for \$4,600,000.00 for in-ground sewer plus \$1,000,000.00 for paving. Contract No. 32 was bid at \$120.00 per foot. This contract is for River Pines. This is the first contract of two contracts for River Pines. Contracts 32 and 33. Contract 32 will start at River Street and go to Sycamore Street. It will take about 14 months to complete Contracts 32. All of Bridle Road will be sewered under Contract 32 with outlets for all streets between River Street and Bridge Street.

Future Contract award "Contract 33" is the second contract for River Pines. It will start when Contract 32 ends. Contract 33 is estimated to be \$5,500,000.00 for in-ground sewer lines and road paving. Contract 33 will start at Basswood and go to Bridge Street. All streets in between will be sewered and connected to the Bridle Road main sewer line. After Contract 32 and 33 is completed, 90% of the sewer flow will go to Bridle Road and flow to Bridge Street. The other 10% of the sewer flow will go across the Concord River, up River Street and hook up to the Colonial Drive pump station.

In the future, a second contract will be issued for loose end streets and for betterment's streets, which have been approved under the Town 50/50 Betterment Program.

The Sewer Treatment Plant has a maximum limit of \$5,500,000.00 million gallons per day. Presently, the plan average is \$3,200,000.00 gallons per day.

The Sewer Extension Committee is very fortunate to have both a pro-active administration and the Board of Selectmen to keep the sewer program moving forward. As a committee, we wish we could sewer the entire town all at once in order to complete this program. This has always been and will continue to be our main goal.

We would like to express our sincere appreciation to our clerk, Brenda Grant, and thank her for the high level of professionalism she has demonstrated through the year.

The Sewer Extension Committee would like to give special thanks to Mr. John Sanchez, Department of Public Works Director and John W. Morris, Board of Health Director, for their cooperation and dedication to our committee.

Respectfully submitted,
John F. Gray, Jr., Chairman

TREASURER/COLLECTOR'S OFFICE

Fiscal Year 2002 Reconciliation of Treasurer's Cash Fiscal Year Ended June 30, 2002

Treasurer's Cash Balance - July 1, 2001	42,274,138.37
Cash Receipts-FY 2002	143,522,099.67
Cash Disbursements-FY 2002	(144,315,283.90)
Treasurer's Cash Balance June 30, 2002	<u>41,480,954.14</u>

Location of Cash on Hand - June 30, 2002

Institution:	
Boston Safe	6,380,795.27
MMDT	500,000.00
Fleet Bank	3,532,349.38
UniBank	750,000.00
Century Bank	1,354,987.89
Enterprise Bank	17,138,094.21
Trust Funds	11,806,353.47
Cash in Office	748.71
Funds in Transit	17,625.21
Total	<u>41,480,954.14</u>

Trust Fund Balances as of June 30, 2002

Cemetery Funds	Principal	Interest	Total
Colby P.C. #19	949.89	49.49	999.38
Fox Hill Thompson 1 #11	24,673.65	10,178.92	34,852.57
Fox Hill Thompson 11 #21	3,510.69	1,449.58	4,960.27
Fox Hill #1	762,187.94	172,078.60	934,266.54
Gray #12	6,789.49	2,273.07	9,062.56
Old Hill #08	375.00	147.12	522.12
Faulkner #20	13,026.92	5,379.11	18,406.03
North Cemetery #04	21,903.00	9,030.52	30,933.52
South Cemetery #07	<u>1,095.00</u>	<u>452.17</u>	<u>1,547.17</u>
Subtotal Cemetery Funds	834,511.58	201,038.58	1,035,550.16

Funds for the Poor

Bowers #2	132,053.91	63,854.88	195,908.79
Elliot #14	10,281.69	10,109.60	20,391.29
Overseers of the Poor #35	18,118.15	12,431.25	30,549.40
Elderly/Disabled Fd #85	<u>2,352.50</u>	<u>273.98</u>	<u>2,626.48</u>
Subtotal Funds for the Poor	162,806.25	86,669.71	249,475.96

Kholrausch Playground #03	10,000.00	17,173.42	27,173.42
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Library Funds:

Faulkner #17	3,431.87	89.37	3,521.24
Library #06	2,542.17	2,493.69	5,035.86
Sheerin Memorial #23	<u>4,036.99</u>	<u>349.59</u>	<u>4,386.58</u>
Subtotal Library Funds	10,011.03	2,932.65	12,943.68

School Funds:

Kent #10	33,330.57	4,345.46	37,676.03
Food Services #107	317,534.00	13,987.06	331,521.06
Activity Funds #108	<u>124,193.73</u>	<u>4,520.65</u>	<u>128,714.38</u>
Subtotal School Funds	475,058.30	22,853.17	497,911.47

Beauty & Maintenance Funds:

Common Seat #18	42.71	41.97	84.68
Jenkins Fountain #15	54.50	53.60	108.10
Watering Trough #13	<u>73.81</u>	<u>72.56</u>	<u>146.37</u>
Subtotal Beauty & Maintenance Funds	171.02	168.13	339.15

Scholarship Funds - Endowments

Allen, William #106	10,000.00	154.00	10,154.00
Ann Costanza #51	4,000.00	433.05	4,433.05
Billerica Arts & Crafts #31	2,105.00	67.66	2,172.66
Billerica Plan #103	2,500.00	76.46	2,576.46
Billy Fitt Memorial #96	7,000.00	137.57	7,137.57
Cerrato #39	15,110.00	2,387.22	17,497.22
Daniel Coneeny #99	9,502.13	246.30	9,748.43
Donald Donati #56	10,170.00	1,173.14	11,343.14
Donovan Memorial #106	15,520.25	311.69	15,831.94
Foundation Endowment #59	91,000.00	3,486.57	94,486.57
George Lamantea #65	4,509.85	602.75	5,112.60
Knights of Columbus #80	10,000.01	1,214.12	11,214.13
Lampson #52	32,169.41	3,367.05	35,536.46
Lawler #76	13,815.30	2,110.34	15,925.64

Lisa Tammaro Memorial #32	11,700.00	2,787.23	14,487.23
Lutheran Church #27	15,000.00	2,666.44	17,666.44
Mary Arekalian #50	14,291.49	2,274.30	16,565.79
Meagher Family #64	11,775.99	1,873.04	13,649.03
Nicola Micozzi #61	4,500.00	804.62	5,304.62
Phil Hefferman #34	15,008.36	2,054.78	17,063.14
Robert Carroll #41	16,641.11	2,937.20	19,578.31
Shaunassy #42	10,000.00	992.06	10,992.06
Shayna Donovan	5,000.00	76.99	5,076.99
Stewart #91	4,045.00	259.14	4,304.14
William Bradley #79	30,000.00	4,052.38	34,052.38
Subtotal-Endowed			
Scholarship Funds	365,363.90	36,546.10	401,910.00

Scholarship Funds - General

Billerica Chiropractic #88	1,589.97	200.34	1,790.31
Cabot Corp #333	22,170.30	733.00	22,903.30
Costello	4,529.14	693.70	5,222.84
Class of 2003 #44	2,229.16	507.60	2,736.76
Class of 2004 #45	4,173.81	907.06	5,080.87
Class of 2005 #46	3,890.72	899.31	4,790.03
Class of 2006 #47	5,411.95	977.46	6,389.41
Class of 2007 #48	5,096.39	874.13	5,970.52
Class of 2008 #49	4,682.56	813.96	5,496.52
Class of 2009 #54	3,196.04	518.00	3,714.04
Class of 2010 #60	5,065.94	958.98	6,024.92
Class of 2011 #77	3,841.67	464.28	4,305.95
Class of 2012 #84	3,633.34	458.09	4,091.43
Class of 2013	2,602.99	140.61	2,743.60
Class of 2014 #106	1,417.79	19.43	1,437.22
Eldora Ferren Memorial #55	5,500.00	234.39	5,734.39
Frank Altobelli #57	11,200.00	2,077.59	13,277.59
Gladys Gratton #73	8,763.25	773.04	9,536.29
Jeff Calnan Memorial #58	1,200.00	203.61	1,403.61
Karen Jean Dingle #98	10,000.00	576.15	10,576.15
Karen Sahagian #97	11,107.00	919.87	12,026.87
Krau Family #30	5,210.00	425.15	5,635.15
League of Women Voters #29	8,591.79	1,284.77	9,876.56
Locke Middle School #37	11,374.83	624.95	11,999.78
O'Conner True Value#83	4,500.00	112.36	4,612.36
Parker School PTO#63	4,444.15	482.45	4,926.60
Ryan Strandberg #82	5,273.89	1,230.90	6,504.79
Salvatore Greco #62	12,959.97	1,182.00	14,141.97

Scholarship Foundation #25	<u>111,804.85</u>	<u>2,338.04</u>	<u>114,142.89</u>
Subtotal Scholarship-General	285,461.50	21,631.22	307,092.72
Grand Total-Scholarship Funds	650,825.40	58,177.32	709,002.72

Other Funds

Kholrausch School Scholarship #24	74,096.05	4,289.54	78,385.59
Abbot Singing #16	2,433.44	2,392.58	4,826.02
Museum #28	49,977.25	3,245.28	53,222.53
Planning/Performance bonds	204,041.42	30,880.04	234,921.46
Drug Proceeds #43	24,254.32	11,966.86	36,221.18
Arts Lottery Funds	24,027.18	185.29	24,212.47

Stabilization Funds

Stabilization Fund #38	2,759,008.98	442,031.55	3,201,040.53
Stabilization Fund –Land #100	1,678,449.00	199,668.16	1,878,117.16
School Stabilization #40	2,634,249.00	271,704.48	2,905,953.48
Ditson School #79	795,318.00	174,669.94	969,987.94
Total-Stabilization Funds	7,867,024.98	1,088,074.13	8,955,099.11

Total Trust Funds	<u>10,389,238.22</u>	<u>1,530,046.70</u>	<u>11,919,284.92</u>
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**Schedule of Receivables Outstanding
Year Ending June 30, 2002**

Year	Real Estate	Water Liens	Sewer Liens	Total	Personal Property	Motor Vehicle
1986						61,422.14
1987						73,916.97
1988						83,086.80
1989						112,825.42
1990					139.19	71,527.39
1991					174.57	38,085.27
1992					(0.88)	24,200.34
1993					60,461.06	21,452.44
1994	897.10			897.10	333.25	27,465.80
1995					69,219.19	37,549.97
1996	23,134.40			23,134.40	37,329.39	29,340.22
1997	54,172.67			54,172.67	58,270.74	21,386.17
1998	1,423.89			1,423.89	31,588.62	27,474.99
1999	2,968.96	4.80		2,973.76	63,331.46	26,709.33
2000	4,040.48	0.75	0.13	4,041.36	34,309.54	38,633.16
2001	8,013.86			8,013.86	68,398.77	77,643.27
2002	584,738.39	6,782.39	4,364.81	595,885.59	61,910.94	349,316.72

Totals	679,389.65	6,787.94	4,364.94	690,542.53	485,465.84	1,122,036.40
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Tax Title	3,853,646.25
Sewer	127,376.91
Water	158,559.96

Respectfully Submitted
David A. Genereux, Treasurer/Collector

VETERANS' SERVICES

The Department of Veterans' Services presents this as its Annual Report for Fiscal Year 2002.

This department consists of Kenneth L. Buffum – Director/Agent and Marie O'Rourke – Secretary (Head Clerk). Also, this program is a State and Town funded program mandated by Chapter 115 of the General Laws of Massachusetts.

We have provided financial and/or medical assistance to those eligible veterans/widow and/or dependents of veterans in their time of need. Presently we have 38 active cases receiving financial and or medical assistance. This department is reimbursed 75% by the State for what has been expended on behalf of those receiving benefits. Also, we have applied for other benefits from other agencies, i.e. Veterans Affairs, Department of Employment and Training, Department of Transitional Assistance, The Bowers Fund, The Society of St. Vincent dePaul and the Social Security Administration.

We have assisted many veterans in apply for medical assistance with the VA Health Care Program. We are also certified to apply for Food Stamps for Billerica residents ONLY. We have had 28 VA cases approved by the Department of Veterans Affairs, with a dollar figure of \$211,681.

As in previous years the Emergency Fuel Program began November 1st and at the present time we have processed 143 applications for those in need, with a dollar value of \$77,935.00.

On Friday June 14th we held our 12th Annual Flag Day ceremony and the Students from the Parker and Vining Schools attended. The Middle School Wind Ensemble under the direction of William Thayer provided the music. The Billerica Lodge of Elks presented the History of the American Flag. The guest speaker for this event was Billerica resident Retired US Army Nurse Corps Olga Symes. In conjunction with Flag Day the winners of the Essay contest on "What Memorial Day Means To Me" read their essays, they were Hope Middleton from the Marshall School and Katie Wallace from the Locke Middle School.

This is the first year that this Agency was responsible for the Memorial Day parade and it was a great day, the parade went off without a hitch.

I would like to take this opportunity to thank Marie O'Rourke for her dedication and the professional way she handles any situation that comes to this Agency whether it be a veteran or just someone looking for help or direction.

I would like to thank the many other departments and employees for their help throughout the year.

Respectfully submitted,
Kenneth L. Buffum – Director/Agent

VIETNAM VETERANS PARK

Vietnam Veterans Park (VVP) is a 200-acre park located on Treble Cove Road in Billerica. VVP was deeded to the Town of Billerica from Middlesex County in 1995 via a legislative act. VVP is the site of the first Vietnam Veterans Memorial in the United States and the first park dedicated to veterans of the Vietnam War. VVP has a variety of local and regional organizations and Town Departments, which regularly use the park. These include Vietnam Veterans Association; Billerica Youth Soccer Association; Middlesex County Horseman's Association; Middlesex County Radio Control Flyers; Billerica BMX Club; Billerica Recreation Department; Billerica Cemetery and Park Department; and Billerica Conservation Commission. VVP has several key buildings and natural features, which are suggestive of the tremendous potential of this park for the Town and region. There is extensive frontage on the Concord River, shoreline on the east side of Winning Pond, a stream, beaver pond, soccer fields, BMX race track, children's playground, walking trails, show horse rink, house, barn, wetlands, vernal pools, beautiful views and the Vietnam Veterans Memorial.

The VVP committee continues to implement the master plan that was designed to direct improvements for the park. This past year the following improvements have occurred:

- Billerica BMX Club completed its first season.

- Construction of a new entrance to VVP completed.

- Construction of new children's playground completed.

- Improvements to parking area and roadway completed.

- Two Boy Scout Eagle candidates completed trail improvement projects.

- Girl Scouts installed trail markers.

- Volunteer work crews organized by the Sudbury Valley Trustees worked on trail improvements.

- The Billerica Police Department has increased their patrols of the park.

The VVP committee looks forward to the next phase in the development of the park. We are pleased to see visitors utilizing the park throughout the year.

WILD AND SCENIC RIVER STEWARDSHIP COUNCIL

The SuAsCo Wild and Scenic River Stewardship Council (SC) continued to meet during the year on an approximately monthly basis and Lee Steppacher continued as our secretary and administrative assistant.

29 free-flowing miles of the Sudbury, Assabet, and Concord rivers were designated "Wild & Scenic", and signed into law on April 9th, 1999. The Rivers were recognized for their outstanding ecological, historical, scenic, and recreational values, and their lasting place in American literature. The wild and scenic segment is such an integral part of the greater SuAsCo river basin that we are compelled to be interested in the entire watershed. In our efforts to preserve and enhance the values of the wild and scenic segment we are assisted by a number of other organizations. In addition to the state administering agencies, this list includes: SuAsCo Watershed Council, Hop Brook Protection Association, Framingham Advocates for the Sudbury River, SuAsSo Watershed Association, Lowell Parks and Conservation Trust, and the Sudbury Valley Trustees.

Also, there are a number of stream teams in the watershed, some have also collected shoreline survey data, and or water quality data on their respective segments:

The Assabet River in Maynard / The Organization for the Assabet River OAR;
Concord River in Billerica/ The Concord River Environmental Stream Team CREST;
Fort Pond Brook and Tributaries / OAR;
Hop Brook (tributary to the Sudbury River) / Hop Brook Protection Association HBPA;
Mill Brook in Concord/ Mill Brook Task Force (Town of Concord);
Nashoba Brook and tributaries / OAR;
Sudbury River in Framingham / Framingham Advocates for the Sudbury River FASR;
Sudbury River in Southboro/ Sudbury Watershed Monitoring and Protection group SWAMP.

The Massachusetts Water Resource Authority (MWRA) proposes to use the Wachusett Aqueduct to supply water to the Walnut Hill Water Treatment Plant. Before placing it in service, they proposed to test it. At first glance 240 mgd flow into the Sudbury River during periods of little flow should not be a problem provided such flow was interrupted in the event of a hurricane or other major storm. Upon further investigation it was found that Raytheon's PCB clean-up of the Sudbury River, some bridge construction and a low flow TMDL study might be affected. After negotiations with the MWRA, a compromise was reached. The MWRA would delay testing so as not to interfere with the low flow TMDL studies, they would use the Sudbury Reservoir to retain some of the peak flow and limit the discharge into the river to 150 mgd.

During the year the USGS gage at Saxonville stopped supplying flow data because of a lack of funds. This was not the only gage to be shut down because of a shortage of funds. The

Saxonville gage was critical this year as it was needed to record flow data during the proposed TMDL studies. I contacted Representative William Greene and other council members contacted their representatives and the funding for continued operation of this gage was provided.

This year the Council decided it was time to celebrate our rivers. We did so for a variety of reasons; among them: to provide an opportunity for the volunteers on the watershed initiative program to meet and become better acquainted with administering personnel; to give more people an opportunity to learn about the rivers and the issues that confront us; and to emphasize the presence of these resources and the need to protect and preserve them. The RiverFest kickoff ceremony held on the 31st of May was dampened, but only slightly so, by the rain that fell that evening. I think everyone agreed that the two-day event was a success. Not so huge a success that it could not be improved upon and that we hope to do in 2003.

Alewife have been released and spawned in the Concord River as part of the anadromous fish restoration program. Next generation returns are expected in the year 2003. If the introduction is successful, it would be in order to consider ways of providing for their normal migration.

Stakeholders in the SuAsCo basin have many issues to deal with. Water quality is an important one and will remain so until standards are met. Water quantity is another important one. Quantity is difficult to resolve because even before development, the shallow soils do not retain enough groundwater to adequately supply a channel during long periods of little runoff. Secondly, the marshes that fill with water during flood stage do not return much water during a drought because the succulent wetlands plants use so much water for their own growth. During the in-stream flow study of the Concord River we found that the vegetated wetlands actually took water from the river during periods of low rainfall. The summertime peak demand for water occurs at a time when the river flow cycle is at, or near, its lowest point, and places the environment at risk.

Conservation will help reduce this peak demand as well as the total consumption. Conservation means conserving water; but it also applies to such things as fertilizer used in lawn and plant care. The excess nutrients eventually enter the waterways where they impact water quality.

The issue agenda also includes such things as: the beaver problem, invasive species and outreach and education.

The watershed has an area of 377 square miles, more than fourteen times the size of Billerica; and there is a lot going on in the basin. In the interest of brevity much has not been covered. A large amount of information is available on the internet. A search of any of the prominent keywords should lead you to sites where you can learn much more. We encourage you to use these resources to learn more about what is happening in our SuAsCo Basin.

Respectfully submitted,
Ralph R. Bacon.

BILLERICA PUBLIC SCHOOLS

During 2001-2002, the schools remained an important positive attraction within the community. Achievement levels continued to rise with the budget priority of students, classroom and learning. Enrichment opportunities within and outside the schools touched thousands of students in all grade levels.

The new Ditson School opened in Fall 2001. The school was completed on time and within budget. The Ditson School Building Committee should be commended for their efforts.

Massachusetts MCAS Tests

The MCAS test is a measure of the overall achievement level of Massachusetts Schools. The tests are given by the Mass Dept. of Education. The following table compares the percent of Billerica students passing the exam against the percent of all Mass students passing the test.

MCAS (as of June 2002)

Test	Billerica	State
Gr.3/Reading	96%	94%
Gr. 4/English	95%	90%
Gr. 4/Math	87%	81%
Gr. 6/Math	75%	70%
Gr. 7/Eng.	98%	91%
Gr.8/Math	72%	67%
Gr. 10/Eng.	95%	86%
Gr.10/Math	86%	75%

The Billerica scores significantly exceed the State averages. For the Classes of 2003, and 2004, passing the 10th grade test is a requirement for obtaining a high school diploma. Students who failed can re-take the test in their junior and senior years. Remedial classes at BMHS are offered for these students.

2001-2002 HIGHLIGHTS

- Over 82% of the Class of 2001 continued their education after high school
- The overall dropout rate was 1.7% compared to the state average of 3.4%. The daily attendance rate was 94% for BMHS and 95.5% for all schools.
- The after-school academic computer and art enrichment program served over 350 students in grades 4-8.
- Our local area network among all of the schools provide Internet access for over 700 stations.
- BMHS offered 24 varsity, junior varsity and freshmen athletic teams with over 880 participants.
- Staff training was provided for phonics instruction, portfolio assessment of student work, writing across all content areas, and the use of Internet instruction.

- The Music Department supported 18 instrumental, choral and dramatic performance groups for over 800 students.
- The Learning Center at BMHS continued to tutor students after school.
- The High School Marching Band and Color Guard repeated as Eastern Mass Marching Band Association Division Three Champions
- Literary Magazines in the middle schools and the high school continued with the Marshall Middle Schools' Magazine named at the outstanding Middle School Magazine by Columbia University.
- The Billerica Schools' web site and one for each school was established and continues to be updated.
- The Locke School successfully established an advisory program for students.
- A revised Social Studies program for grades 3 and 4 was implemented.
- Linkages with Middlesex Community College were established for college credit for BMHS courses.
- New Mathematics program adopted for grades 6-9.
- "Shadow" Days (career exploration) for Rotary Club and the Billerica Plan in cooperation with the Billerica Partners for Education.
- Through grants from SYN Microsystems Inc. new computer laboratories at the Locke and Marshall were installed.

In addition, the Billerica Schools offered the following programs on a self-supporting basis with no local money.

- + BEAM will remain as an early intervention Program with the Mass Department of Public Health
- + The operation of Food Services and Ice Rink
- + Summer Enrichment School for pre- school and elementary children served over 400 students
- + After school child care services at each elementary school operated for the Boys and Girls Club.

STUDENT ENROLLMENT

YEAR	TOTAL
2001-2002	6629
2002-2003	6669
2003-2004	6673
2004-2005	6651
2005-2006	6602
2006-2007	6516
2007-2008	6508
2008-2009	6575
2009-2010	6504

The school enrollment projection shows stability in enrollment given current conditions. This could change very rapidly if Billerica experiences the growth of multi-family housing, i.e., apartment complexes, large condominiums or townhouse developments. Enrollment projections are done every year in order to reflect the current housing conditions in Billerica. The student population will remain stable because of the re-sale of existing housing. In many cases there are no children of school age left in the home. These homes, re-sale and a new family with school age children occupy the home.

The new Ditson School is completed and fully operational in its' second year. At this time the planning for the other school buildings is centering on renovations and additions to existing school buildings, rather than completely new buildings. With additions, the schools will be able to accommodate enrollment and also provide adequate space for educational programs including special education, art and computer laboratories.

**General Announcements
And
No School Announcements**

When it becomes necessary to close schools, or delay opening of schools because of inclement weather, the announcement will be carried on WBZ-1020, WRKO, 680; WCAP-980; WXKS/FM; BATV, Cable Channel 10; Channels 4,5, and 7.

These announcements will be made as soon as possible but normally between the hours of 6:00 A.M. and 7:00 A.M. Under no circumstances should parents call the Fire or Police Stations. This ties up the lines and could cause serious problems in case of an emergency.

Pupils are sometimes sent home early from school because of an emergency. Parents should make arrangements with friends or neighbors and give instructions to their children.

ENTRANCE AGE

For admission to the Kindergarten, a child must be five (5) years of age before August 31 of that year. A birth certificate is required of all pupils unless their parents were residents of Billerica at the time of the child's birth.

EMPLOYMENT CERTIFICATES

Employment Certificates (working papers) are issued at Billerica Memorial High School, New Addition, and Principal's Office. Applications must be made in person and a birth or baptismal certificate must be presented.

RETIREMENTS 2001-02

Dr. Paul Cox	33 years
James Dumas	15 years
Peter Maguire	35 years
Carol Ahern	30 years
George Babcock	33 years
Miriam Buckley	35 years
Norm Cassista	31 years
Gary Cox	38 years
Angelo DeBenedictis	33 years
Paul Doherty	32 years
Jean Flannery	30 years
Jane Geary	29 years

James Hanley	37 years
Nick Ines	33 years
Carolyn Mack	30 years
Walter Markham	27 years
Joyce Miller	16 years
Mary Paone	17 years
Justyne Pereira	35 years
Diane Pearson	32 years
Gerry Perry	37 years
Roger Richard	34 years
Harriet Rodman	31 years
Carol Stocks	39 years

Nurse	
Linda Byrnes, R.N.	16 years

Clerks	
Susanne Lucacio	20 years
Diane Baniewicz	14 years

SCHOOL COMMITTEE

Mr. Robert Keough, Chairman
Term Expires 2003

Ms. Maureen Collins Rea, Vice Chair
Term Expires 2004

Mrs. Marie Blanchette, Secretary
Term Expires 2004

Mr. Thomas Gallagani, Member
Term Expires 2005

Ms. Jessica DiOrio, Member
Term Expires 2005

ADMINISTRATION

SUPERINTENDENT OF SCHOOLS
Dr. Robert J. Calabrese

ASSISTANT SUPERINTENDENT
Mr. Jerry A. Houghton
Business Affairs

ASSISTANT SUPERINTENDENT
Dr. C. Milton Burnett
Curriculum

TRANSPORTATION DIRECTOR
Mr. John McKenna

MEMORIALS

NOREEN DONOVAN, Teacher

Died: December 26, 2001

DONNA HYMAN, Teacher

Died: March 23, 2002

ELEANOR DESMOND, Clerk

Died: September 26, 2002

MARGARET HASTINGS, Cafeteria

Died: January 7, 2002

FRANCES MALANDRINO, Cafeteria

Died: January 3, 2002

ADELINE L. TAYLOR, Cafeteria

Died: June 12, 2002

RAYMOND TRAINOR, Custodian

Died: April 18, 2002

DOROTHY E. TREMBLAY, Clerk

Died: April 28, 2002

VIRGINA M. IRWIN, Cafeteria

Died: August 7, 2002

ELLA H. RICARD, Teacher

Died: January 8, 2002

LORRAINE T. ROTONDO, Cafeteria

Died: October 7, 2002

GERALDINE SOUSA, Clerk

Died: 2002

VIOLENT STICKNELLY, Cafeteria

Died: August 1, 2002

CECELIA E. STIMPSON, Cafeteria

Died: March 3, 2002

MARY C. WHELAN, Cafeteria

Died: March 4, 2002

SHAWSHEEN REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL

The Shawsheen Valley Technical High School District is pleased to submit its 2002 Annual Report to the citizens of Bedford, Billerica, Burlington, Tewksbury, and Wilmington. Located on Cook Street in Billerica next to the towns of Burlington and Wilmington, the school celebrated its 33rd anniversary this year, perpetuating the highest quality in vocational technical education to area youth and residents.

A ten-member elected School Committee governs the District. Elected representatives of the Regional School Committee are: Mark Trifiro and Donald Drouin from Bedford; Kenneth L. Buffum, Vice Chairman, and Bernard F. Hoar, Treasurer, from Billerica; John P. Miller, Chairman and Alfred Verrier from Burlington; J. Peter Downing and Patricia W. Meuse from Tewksbury; and James M. Gillis, Secretary and Robert G. Peterson from Wilmington. Charles Lyons has been Superintendent/Director of the District since 1987.

Shawsheen Valley Technical High School (SVTHS) is one of twenty-six regional vocational technical school districts in Massachusetts. Eleven hundred and ninety-two high school students were enrolled in SVTHS's day school programs in October of 2002, and more than 600 adults participated in the school's varied adult and continuing education courses.

The high school graduating class of 2002 numbered 244 seniors. By September of 2002, forty-three percent of Shawsheen Tech graduates were employed in their area of expertise; forty-two percent of the graduates were pursuing higher education; five percent were entered into the military forces; and six percent were employed in other trade areas.

Academic Programs

MCAS Performance: In the spring of 2002, 87% of SVTHS's sophomores passed the English Language Arts (ELA) MCAS test, improving the 78% passing rate of the preceding year's tenth graders. In fact, the 87% mark, which ranked highest among all Massachusetts vocational technical high school passing rates, significantly exceeded the Department of Education's expected improvement for SVTHS. Both the number and percent of the school's students who scored within the "Advanced" range on the ELA MCAS test were also pre-eminent among all statewide vocational-technical populations. SVTHS's regular-education population passed the ELA MCAS test in record numbers, exceeding the state's regular-ed passing rate by five percent. Similarly, this school's learning-disabled (LD) population improved all previous ELA MCAS performances, exceeding the statewide LD passing rate by eleven percent. Ninety-three percent of all students in the Class of 2003 had passed the ELA MCAS by January of 2003.

By January of 2003, 76% of the Class of 2003 had passed the math portion of the MCAS test. SVTHS is very optimistic with the math performance on the December 2002 retest and is projecting that most of the students scheduled to graduate with the class of 2003 will pass the math after their fourth attempt at fielding the test.

Academic Support Services: Supported by supplementary funds secured by grants awarded by the Department of Education, academic support services were expanded in order to assist students prepare for MCAS testing. One-on-one tutoring sessions were made available before, during, and after school. Special MCAS math sessions were well attended on Saturday mornings. An MCAS writing lab was added to the Applied Math program and was offered four days a week during the summer session. Student surveys revealed extremely enthusiastic reaction to the extra help sessions. Post testing has indicated significant improvement in math and writing proficiencies of those students who took advantage of those MCAS help sessions.

Faculty Job Satisfaction: A survey conducted during professional workshops held in early January revealed unanimous job satisfaction among SVTHS teachers. The teaching staff attributed job satisfaction to collegiality, professional respect, excellent (especially technological) teaching resources, fair salary and benefits, valued administrative support, and well-behaved and enthusiastic students.

World Language Course Offered: In September of 2002, SVTHS expanded its academic offerings with the addition of an evening Spanish elective taught by Mrs. Kathleen Kelley, a certified world-language teacher and a member of the Westford Academy faculty. Instruction to SVTHS students is scheduled on Tuesdays and Thursdays from 7- 9:00 p.m. Spanish I is offered during the first semester, and Spanish II is offered during the second semester.

Twenty-five students recently completed this class during the fall of 2002 and plan to continue their language studies in Spanish II during the spring of 2003.

Performing Arts: During the 2001-2002 school year, SVTHS celebrated a rebirth in the area of performing arts. The Drama Club was reactivated under the energized leadership of Drama Club Advisor, Angela Caira. In early June, "A Broadway Review" was performed to a packed house in the Billerica Memorial High School Auditorium. The two-hour musical medley included hits from *Annie*, *42nd Street*, *West Side Story*, *Phantom of the Opera*, *Les Miserables*, *The Sound of Music*, *South Pacific* and *Grease*. SVTHS students exhibited their talents in choreography, vocal performances, stage design, and lighting.

Recycling: The Student Council -- under the direction of Ellen Mountain, Council advisor and member of the English Language Arts faculty -- initiated a school recycling program during the school year. The group maintains fourteen recycling bins in locations throughout the school. Students and their advisor sorted, collected and deposited all recycling materials during homeroom period and after school. Participation in the recycling effort expanded to include recycling printer cartridges in addition to paper products.

Athletics

The athletic program was honored with the Walter Markham Award, presented annually by the *Boston Globe* in recognition of the most successful vocational-school athletic program in the Commonwealth. This is the second time in four years SVTHS has received this prestigious award.

Over 350 students participated in interscholastic athletics, capturing Commonwealth Athletic Conference championships in boy's soccer, football cheerleading, ice hockey, basketball cheerleading, softball, and baseball. Boys' soccer, girls' soccer, girls' basketball, ice hockey, boys' basketball, baseball, and softball qualified teams for state-tournament play. The softball team won the state vocational title. The baseball, boys' soccer, and wrestling teams also qualified for the state vocational tournament.

In addition to these outstanding teams, SVTHS athletics developed pre-eminent individuals. Jennifer Elwell of Tewksbury and Scott Wiitala of Billerica were selected to the *Boston Globe* and *Boston Herald* All-Scholastic softball and wrestling teams respectively. Scott was a Division 1 State Champ in wrestling. Ashley Morgado of Wilmington became a 1000-point scorer in girls' basketball.

Building and Grounds

Energy efficient lighting was installed in all computer rooms, the gymnasium, and library, the Internet technology shop, the technical illustration shop, and the business technology shop. This new lighting was entirely funded by a grant from the Massachusetts Electric School Initiative Program.

The plumbing students installed a new Americans-with-Disabilities-Act specified interior bathroom.

Extensive repairs were made to windows and doors. All exterior single pane windows were removed and replaced with double thermo pane windows. Replacement doors and window fronts were added to the four main entrances of the school. The Kalwall around the gymnasium and pool was replaced. A new roof was installed above the pool, and the exterior façade of the building was painted.

Adult Evening School: The Adult Evening School continues to offer a wide variety of opportunities to adults interested in expanding their knowledge and skills. More than thirty courses are offered during both the fall and spring semester. The enrollment in these courses has exceeded six hundred adult learners during the past year. Course offerings include a variety of traditional vocational programs such as welding, electrical, woodworking and collision repair as well as technical programs in Adobe Photoshop, web design, computer repair and computer applications. Residents interested in taking these and other types of practical courses are encouraged to call Mr. Raymond Callahan, Adult Education Coordinator at (978) 667-2111 for information and/or a brochure.

School of Practical Nursing: The School of Practical Nursing graduated a class of thirty-one Licensed Practical Nurses during commencement exercises in June for its eighth graduating class. Since its inception in September of 1994, a total of two hundred fifty-seven students have successfully graduated from this program and have gone on to rewarding careers as licensed practical nurses. This intense ten-month program offers qualified adults a combination of

evening coursework and clinical externship experiences that prepare aspiring healthcare professionals for the licensed practical nurse exam. The significance and benefit of this valuable program to the community is magnified by the extreme shortages of qualified healthcare professionals that exist both locally and nationally. Residents interested in applying to the LPN program are urged to contact Assistant Director Patricia Noonan at (978) 671-3646.

Middle School Career Awareness: Over 350 middle school students from the sixth, seventh and eighth grades of the five district towns participated in career awareness activities at SVTHS after school during the winter of 2002. Each student was provided with the opportunity to spend a total of five hours exploring each of eleven different career path options encompassing the manufacturing, transportation, services, information technology and construction industries. Mr. Mark Small administers this program. He can be reached at (978) 671-3615 for registration information. The program is free of charge and is available for district middle school students. Busing is provided by SVTHS.

Tech Prep: SVTHS is very proud of the articulation agreements that it has developed with nine local colleges. Through the nationally recognized “Tech Prep” program, these agreements provide qualified SVTHS students with the opportunity to receive college credit for coursework completed prior to high-school graduation. Students receive post-secondary credit when they matriculate into a degree program at one of these institutions. These “Tech Prep” articulation agreements serve to further develop career paths for our graduates, maximizes their interest in obtaining advanced degrees in their vocational-technical areas, and assures that they are engaged in a post-secondary educational career path that is both relevant and rewarding.

Summer School: SVTHS offered sixteen courses to one hundred and sixty-seven students from surrounding towns and school systems during the summer of 2002. Courses were offered in Numeration and Data Analysis; Geometric Functions and Relations; Algebra 1; Algebra 2; Geometry; English 9, 10, 11, and 12; U.S. History; World History (Civilization); Lab Physical Science; Lab Biology; Earth Science; Physical Education; and Health. In addition, developmental and remedial instruction was offered by certified Consulting Teachers of Reading using traditional and technologically-assisted instruction. Individuals seeking summer-school information should contact the Dr. Robert Kanellas, the Summer Coordinator, at 978-671-3631.

Computer Services

Mr. Michael Sullivan, Director of Computer Services, and his staff implemented a new web-based and staff friendly Student Information System from IMG Software called iPASS. All student-information records from the old system were migrated to the new system. Academic student scheduling, as well as ninth grade exploratory scheduling, was successfully completed for the start of the school year. The comprehensive system also includes an on-line daily attendance system, on which teacher's complete daily attendance from their homeroom. The Dean's Office was provided with a new module for tracking all student discipline events. Teachers have access to students' biographical, grade, attendance, and discipline information from any computer in the school. At the conclusion of the first marking period, teachers entered

all grades on-line and printed verification sheets. A new and more concise report-card layout along with a new student transcript was also developed.

Mr. Scott Ialuna was hired as the Network Administrator in the Computer Services Department. The computer staff worked on network system improvements during the summer that included better response time for logons, a new application server for the mathematics department, and a new backup system. At the end of the year, the Computer Services Department upgraded their electrical service to better support the current offerings as well as provide for anticipated growth. In July, SVTHS received a grant from the Sun Microsystems Foundation for equipment valued at \$155,000. The Computer Services Department will apply the grant to the establishment of a new Unix lab. In addition, the Internet Technology and Computer Services staff is enrolled in an instructor-training program through CISCO Academy – which, in turn, will enable SVTHS students to participate in the Unix Certification program in 2003.

In the fall, the Computer Services staff installed three new application packages for the mathematics department and upgraded the computer labs to utilize the packages. The mathematics packages were Plato, Success Maker 5.4, and Sketchpad. The Computer Services staff also updated one mathematics classroom and two special education classrooms with new computers to support the new software.

Dean of Students

The Dean's office, through the efforts of Ms. Christine Tobin, is coordinating Project 540, a nationwide initiative involving 250 high schools designed to encourage and engage young people in active citizenship. This project is made possible by a grant from the Pew Charitable Trusts. Project 540 brings students, teachers, and administrators together to explore how high schools can become better platforms for young people to get involved in the public life of their communities.

Another project coordinated by the Dean's office and Ms. Tobin is an awareness group related to teen dating violence. This group will broaden students' understanding of dating violence, and student trainers will be able to effectively communicate to their peers important safeguards for preventing such violence. The group meets weekly before school and once a month after school to discuss issues of prevention and to raise consciousness in regard to this important topic of concern.

Guidance

Admissions: Three hundred and twenty of four hundred and sixty ninth-grade applicants enrolled in the fall of 2002. These statistics represent an ongoing trend of increased interest in the educational opportunities offered at SVTHS – which, during the past three years, has resulted in the steady growth of the school's admission waiting list.

College and Career Planning Night: In early November, SVTHS hosted a college and career planning night for juniors and seniors. In addition to SVTHS students and their parents,

invitations were extended to eleventh and twelfth-grade students of the five District towns. Over 450 people attended.

This effort was supported by thirty-one local colleges, a cross section of the industrial community, and personnel representing the various branches of the Armed Forces. A representative from the Massachusetts Educational Financing Authority (MEFA) presented a comprehensive overview of the financial aid process as well as multiple resources to assist students and their parents in obtaining financial assistance.

Cooperative Education Program: In the fall of their senior year, eligible students begin employment as either apprentices or cooperative interns with local companies during their vocational/technical week. In December of 2002, eighty-seven seniors were enrolled in the Cooperative Education Partnership, gaining valuable experience with area companies. Over 250 area businesspersons serve on Shawsheen Tech's Craft Advisory Committee, monitoring and ensuring up-to-date curriculum, equipment, content and technology. The local businesspersons meet twice each year with SVTHS administrators and are among the first to hire graduates from school programs for which they actively serve as consultants.

School Council

During the 2001-2002 school year, the School Council, co-chaired by Assistant Superintendent-Director/Principal Robert Cunningham and parent Nancy Higgins, reviewed and recommended the initial school budget prior to submission to the School Committee and endorsed a new School Improvement Plan that enhanced curriculum standards, students' attitude for success, guidance services, communication, parent involvement, computer applications, professional development, and building needs.

Technical Programs

Effective July 1, 2002, John Lavoie joined Shawsheen Tech as the Director of Vocational/Technical Programs. From 1973 until 1996, Mr. Lavoie was employed at Greater Lawrence as a Carpentry Instructor in both shop and related settings. He later served as Chairperson of the Carpentry Department. He coordinated house-building projects and served on many school improvement committees. For the past six years, Mr. Lavoie has served as the Construction Cluster Chairperson at Greater Lowell Regional Vocational Technical School.

Air Conditioning & Refrigeration (ACR): ACR's shop environment has been upgraded with the addition of a newly painted mezzanine and new windows. Both have contributed to a brighter, more open and safer learning environment. New workstations have also been designed and constructed to facilitate troubleshooting activities as part of the curriculum. In addition, the twelfth-grade curriculum has been revised to include a new software program called Wright-Soft, which is used to calculate heat loss and heat gains. The ACR program continues to train its students on the latest refrigeration and heating equipment, an effort facilitated by the donations of its advisory committee members.

The ACR program trains its students on real, live work and provides support to the maintenance staff through its maintenance curriculum. As a result of this program, the following projects have been completed:

- Installation of a central air conditioning unit in two science labs.
- Installation of an air conditioning and heating unit in the automotive-related room.
- Installation of a 36" ventilation duct in the automotive shop.
- Installation of two 4-ton air conditioning units in the electronics shop.
- Installation of two air conditioning and heating units for the field house.
- Installation of PVC condensation drains for the rooftop air conditioning units
- Design and installation of a 40' x 4' exhaust hood in the metal fabrication shop.

Auto Body: The Auto Body program is certified by the National Automotive Technician Education Foundation (NATEF), whose single mission is to improve the quality of automotive service and repair. When the new automotive computer lab is completed, Auto Body students will be able to access the NATEF curriculum on the Internet, keeping students current with the latest automotive technology. Based on the advisory committee's recommendation, the auto body program is developing an electronics component, a curriculum modification necessitated by the many electronics in new vehicles.

Automotive: The Automotive Department is in the final phase of renovating and upgrading its related theory classroom. The necessary upgrading of the electrical wiring to accommodate its state-of-the-art computer system has been completed. In early January, the students will have access to a program called Automotive Information System using one of twenty Internet-ready computers at their desks. Automotive Information System is an unlimited curriculum and resource for safe auto repair instruction, technical information and the latest updates on specific jobs. The program also allows teachers to obtain lesson plans for job-specific repairs and repair data for every car used for demonstration or service.

The newly renovated related classroom includes many instructional aids, including engine mock-ups, parts displays, posters and even a full-size break away car -- all of which are important elements of formal related instruction supporting students' visual connections to, understanding of, and interest in theory instruction.

Certified by the National Automotive Technician Education Foundation (NATEF), the Automotive curriculum, equipment and tools meet the required standards. All instructors in the program are Automotive Service Excellence (ASE) certified expert technicians and are committed to maintaining state-of-the-art knowledge and skills. As a result of their commitment, students are prepared to meet the standards of a constantly changing industry.

Business Information Services: The supervised externship program, which was implemented last year, continues to be a success. Students are gaining important office skills and provide support and needed help to area town facilities during a time of fiscal restraints. Many of last year's

seniors have continued in their positions as full-time employees at the various local businesses and town facilities.

After its design is completed by SVTHS drafting students, the business labs will be renovated to meet the industry technology standards. Changes will include infrastructure, equipment, and furniture. The completion of the project will provide students with a safer and improved learning environment.

As a result of advisory recommendations and faculty initiative, the curriculum was revised to support students' Microsoft Office certification. Marketing competencies have also been added to the tenth-grade curriculum this year to expand students' post-graduation opportunities. These competencies are developed through the operation of the school store and handling the compilation, collection and distribution of the morning food break orders for the entire school.

Carpentry: The Carpentry Department, along with all the construction trades, has entered into a partnership with the Billerica Housing Authority. SVTHS students began constructing a split-level house, which will be turned over to the Housing Authority upon completion. This outside project not only provides students with valuable live work that develops trade-specific competencies but also fosters students' commitment to community and their compassion for fellow human beings.

Cosmetology: The Cosmetology Department has initiated a community-based program in which teachers accompany tenth- and twelfth-grade students to District nursing homes, senior centers and assisted-living facilities to provide cosmetology services. This program provides students with real, live work and at the same time instills compassion for our elderly population. In addition, many of our local elderly citizens take advantage of cosmetology services at the school on a regular basis.

The cosmetology program will be revising its curriculum to include Cyberimaging, which was recommended by the advisory committee this year. This innovation will provide students with competencies to obtain employment in salons with the state-of-the-art technology in hair design.

Culinary Arts: The Culinary Arts Department has made numerous renovations in its shop environment. In part, these include the installation of a new floor in the walk-in freezer, the replacement of an old wooden storage unit with metal shelving, and the replacement of a leaking oversized faucet in one of the kitchen's two designated hand sinks. A toilet was also removed in favor of additional storage space. A four-door reach-in refrigerator and a cabinet-style food warmer – two important pieces of equipment – were also purchased.

The operation of the guest dining room continues to be a valuable component of the Culinary program. The dining room provides reasonably priced, public access to the Shawsheen culinary experience four days a week (Tuesday through Friday). Residents interested in enjoying lunch in the Rams Head Dining room are invited to contact Ms. Beverly Pantano at (978) 671-3668 for reservations.

Another key element in the Culinary program is the bakery, where students learn to bake creative breads and pastry and where they operating a retail bakery, also open to the public four days a week. Residents may call (978) 671-3674 to order bake goods or visit the bakery between 9:30 a.m. to 1:30 p.m. Tuesdays through Fridays when school is in session.

Diesel: Both the infrastructure and the equipment of the Diesel Department have been improved during the past year. The bay doors and trim were painted, giving the shop a new and clean appearance. A new 16,000-pound twin post lift has been installed, and an electric rechargeable fork truck was obtained.

In order to keep the curriculum apace with current technology, a DVD system for Mitchell on Demand as well as a chip for the OTC and STAR engine analyzing equipment was purchased. All textbooks in the related program were updated.

In June of 2002, the Diesel program became NATEF certified. All instructors in the program are ASE certified in all areas of instruction, and Mr. John Havens is an evaluation team leader for the organization. As a result of the program's recent NATEF certification, students have earned their ASE refrigerant recovery certification. A number of students have also received national certification from the Coordinating Committee for Automotive Repair in safety and hazardous material handling.

Drafting: On December 6, 2002, the American Drafting and Design Association awarded the drafting program a national certification for its curriculum. The Association's application committee was so impressed with the application -- which includes a complete detail of the curriculum, equipment and instructors' credentials -- that they awarded the certification without a team visit. The Drafting program at SVTHS is the first program in the Commonwealth to receive this national certification.

Funds were made available to continue shop modernization plans with the purchase of the following equipment:

- 14 Dell computers
- 33 planner lab stations
- 28 planner activity tables
- 31 swivel arm chairs
- 4 Hewlett Packard Deskjet 1200c printers

With the recent upgrading of software recommendations, the Drafting staff has made some revisions in the program's curriculum. The students are now learning Pro-E for an analyst of properties and G.I.S terrain modeling. The collective efforts of the Drafting instructors to improve their program have resulted in the Commonwealth's most technologically advanced high school drafting program and an outstanding learning environment for SVTHS students.

Electronics: The instructors in the Electronics Department have initiated student training in A+, the basics of computer repair, and they have been developing a curriculum that aligns with the recently completed Certificate of Occupational Proficiency's task list for Electronics.

Mr. Frank Harrington and Mr. William Jackson, both of whom have extensive experience in the electronics and computer industry, have been hired as instructors to affect the curriculum and technological changes in the Electronics program.

Electrical: During the recent year, Electrical students developed a wide range of competencies resulting from their work on outside projects. Students wired SVTHS's new field house and concession stand, a new automotive related classroom, and a computer lab -- gaining important industrial-wiring skills and knowledge. Students also wired a home that was constructed for the Billerica Housing Authority, gaining important residential skills and knowledge. Students also gained important electrical-maintenance skills and knowledge in various school-based projects.

The Electrical program's curriculum has been revised to include competencies developed as a result of new equipment donations by Interstate Electrical and Tocco Electrical, both of Billerica. The equipment includes a 2 ½" to 4" hydraulic bender and a 30 KVA dry type transformer three phase.

Graphics: The students in the Graphics program developed valuable competencies by completing various printing projects for the school and District towns. The students also oversaw the copy center, which services teachers and administrators by reproducing materials like student handouts, exams, and instructional worksheets.

Health: The placement of seniors in the Health Department's externship program remained impressively high as all twelfth graders secured positions within the program at either a medical facility or a nursing home during the first week of school. This externship program provides students with work experience under real conditions – an instructional variable not possible in a high-school setting. Many current seniors have been placed on co-op as Certified Nursing Assistants, Medical Assistants, and child care aids. Both the externship and co-op placement rates strongly suggest that the Health curriculum effectively prepares students for today's job market. The medical assistant curriculum will be complemented by visual field training in response to advisory committee recommendations and post-graduation placement opportunities.

Internet: With his recent arrival as an instructor in the Internet Department, Mr. Robert Galante brought a strong background in computer repair and networking, which has supported the addition of A+ training to the program's curriculum. Most of the certification training is facilitated by computers recently purchased as "knockdown" (disassembled) units, which allow students assembly, troubleshooting, and repair experience. Upon completion of this training, students will have the opportunity to take the A+ certification exam.

Students in the Internet program are also exposed to the Cisco curriculum, whose objectives are aligned with Certified Network Administrator Certification. This curriculum will prepare students to take a certification exam as seniors.

Instruction within the program has recently benefited by the development of on-line notebooks, in which students save and update Internet lessons.

Based on advisory recommendations, the Internet program has upgraded its curriculum with the addition of instruction in CSS, Flash, PHP, UNIX, and Visual Basic. In addition, the Department is currently developing on-line Internet curriculum.

The students have been involved in many community projects this year, including:

- Massachusetts Alliance for the Promotion of Sportsmanship (MAPS)
- National Guard Unit
- Upgrade Shawsheen Valley Technical High School website
- Construction of Career Day's Website

Machine Technology: The Machine Technology program recently satisfied the recertification requirements of The National Institute for Metalworking Skills (NIMS) and was awarded recertification this year. Continuation of this certification was contingent upon students' earning credentials in the areas in which the program is certified. A minimum of 25% of the students were required to pass a Level I exam, and 50% were required to pass Level II. As a result of meeting this criteria, NIMS has extended the certification until January 1, 2006. Due to the quality of the machine technology program and the instructor qualifications, NIMS has recruited the instructors to become part of their evaluation team for other schools throughout the state.

In order to maintain up-to-date and safe equipment, the Machine Technology program had four lathes rebuilt this year. The safety initiative will continue at this pace until all lathes are eventually rebuilt.

At the fall joint conference of the Massachusetts Association of School Committees and the Massachusetts Association of Schools Superintendents at the Worcester Centrum Center, Machine Technology students teamed with Drafting students to present a high-technology demonstration. Using Master Cam software, the Machine students manufactured a product designed by the Drafting students, who used Pro Desktop software.

The Machine Technology curriculum has been updated to include the latest Computer Numerical Control (CNC) technology and version of Mastercam software (Version 9). Three new Dell computers were purchased this year to accommodate the increased student population.

Masonry: Since the beginning of the school year, the Masonry students have worked on the construction of the new field house and concession stand. This project has allowed the students to develop advanced competencies that include the construction of quoin corners and brick

projections around all windows and doors as well as the tiling of all shower stalls. When this project is complete, the Masonry students will have laid over 20,000 bricks and 6,000 blocks; they will have poured and finished 150 yards of concrete; and they will have installed 300 square feet of tile.

In response to local employment opportunities and advisory-committee recommendations, the Masonry curriculum was updated to include marble and granite competencies. In addition, twelfth-grade students completed a ten-hour OSHA safety course, enhancing their post-graduation employment opportunities.

Metal Fabrication: The Metal Fabrication program upgraded its equipment this year with the purchase of a new ironwork machine and metal finishing equipment. The metal finishing equipment has allowed the instructors to include metal finishing competencies in the program's curriculum, increasing career opportunities for students. Because the Metal Fabrication program is a NIMS certified program, the students will have the opportunity to take the NIMS certification exam this year.

Plumbing: Plumbing students are currently involved in important, concurrent tasks within the community. They are developing industrial-plumbing skills as they work on the SVTHS field-house project, and — at the same time — they are developing residential-plumbing skills as they plumb and install the heating system for the Billerica Housing Authority house project. In addition, Plumbing students hone their troubleshooting skills and provide necessary service to the school as they participate in the program's maintenance.

The instructors have constructed a new steel rack to accommodate more advanced venting and drainage projects. This new rack system will facilitate the completion of shop projects that involve various types of materials and clamping systems. In addition, the rack arrangement enhances safety within the shop and provides more visibility of students' activities.

Technical Illustration: Both the excellence of instruction and its effect on the skill development of this school's Technical Illustration students were clearly demonstrated at the National SkillsUSA-VICA competition last summer, where a team of four SVTHS students won a gold medal. The team of Alison Ciccariello of Burlington, Stephanie Lazott of Billerica, Christopher Magner of Tewksbury, and Gregory Bendel of Wilmington received the prestigious award for creating and publishing a comic book about Shawsheen Tech and participation in the school's chapter of SkillsUSA-VICA.

The Technical Illustration staff and students have recently assumed the task of designing a new school-wide signage system. Technical Illustration students are developing individual designs and cost projections for formal presentations to the selection committee in January. After the committee's selection of one concept, the students will begin the production process.

To prepare students to respond to the demands of a constantly changing industry, the school purchased two new laser HP printers, five new Macintosh computers, a large Epson scanner, and a Macintosh server.

SkillsUSA-VICA: *SkillsUSA-VICA* is a national organization providing vocational/technical students the opportunity to enter specific skill competitions and to participate in numerous leadership events. Last spring, SVTHS was honored for having the highest individual enrollment in the state, which totaled 325 members.

At the North District Conference last spring, 75 SVTHS students competed and won 35 medals. Of those students, 15 subsequently earned medals in state competition. Among these winners, two 4-person teams (Internet Technology and Technical Illustration) won gold medals and advanced to national competition in Kansas City. As previously noted (*See "Technical Illustration"*), the Technical-Illustration team won a national gold medal for creating an animated storybook.

Certificate of Occupational Proficiency (COP): The COP is the Commonwealth's assessment program for technical education. It is being designed to measure the attainment of industry-based skill standards of students enrolled in technical education. To date, the Department of Education has approved the competency list from four occupations and will be considering four more for approval. The four approved programs are:

- Automotive Technology
- Cosmetology
- Culinary Arts
- Horticulture

The four programs under consideration are:

- Carpentry
- Electronics
- Graphics communications
- Marketing

Shawsheen Tech has taken a leadership roll in the COP process with many instructors providing their expertise as committee chairpersons or committee members.

Safety: Led by the Director of Community Services, Mr. Roger Bourgeois, the school has begun a 5-year process of developing and implementing a school-wide safety and health plan. The development of this plan includes work practices, equipment, tools, environmental issues and educational curriculums in all programs. The committee overseeing the development and implementation includes administrators, teachers, students, and safety experts from industry.

Through the efforts of Mr. Bourgeois and the instructors in the construction cluster, all of the seniors in these programs have obtained a ten-hour OSHA certification card at the beginning of the school year when they learned all aspects of construction safety. This certification provides

students with more job opportunities, as many construction companies require this credential as part of a hiring policy.

Conclusion and Acknowledgement

The SVTHS District School Committee, staff, and students gratefully appreciate the support they receive from the residents of the five member communities. The SVTHS family especially acknowledges the continued financial support of the local Town Managers, Finance Committees, and Town Meetings, who collectively ensure and perpetuate the highest quality in vocational technical training opportunities for area youth.

The District is grateful for the significant contributions provided by Shawsheen Tech staff and employees and acknowledges the many contributions of the SVTHS staff who retired during 2002. Those retirees are:

- Barbara Ahern, Director of Vocational/Technical Programs
- John Bowen, Dean of Students
- Annette Burns, Cafeteria
- Mel Frim, Electronics Instructor
- William Livolsi, Graphic Arts Instructor
- John McDermott, Assistant Superintendent-Director of Community Services
- Frances Pasciuto, Cafeteria
- Ann Peters, Cafeteria
- Audrey Tripousis, Cafeteria

For Reference
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MUNICIPAL TELEPHONE NUMBERS

PLEASE REMEMBER TO USE THE 978 AREA CODE BEFORE DIALING

EMERGENCY 9-1-1
POLICE 667-1212
All other purposes 671-0900
AMBULANCE 667-1212

FIRE 663-3433
All other purposes 671-0941
POISON CONTROL 1-800-682-9211

Appeals Board 671-0964
Assessors Board 671-0971
Billerica Housing Authority 667-2175
Billerica Municipal Employee
 Credit Union 667-2434
Building Department
 Building Commissioner 671-0959
 Plumbing Inspector 671-0960
 Wiring Inspector 671-0961
 Zoning Officer 671-0959
Cemetery Department Andover Road
 Superintendent 671-0946
Civil Defense 671-0917
Conservation Commission 671-0966
Council on Aging 671-0916
Dog Pound (between 3-4pm) 671-0909
Election and Voter Registration
 Board of Registrars 671-0926
Health Department
 Board of Health 671-0931
 Public Health Nurse 671-0932
Library 671-0948
Personnel Board 671-0942
Planning Board 671-0962
Public Works Department:
 Director 671-1313
 Chemist 671-0957
 Engineer 671-0955
 Highway 671-0951
 Sewers 671-0956
 Water Treatment 671-0957
 Operation Coordinator 436-9178
Recreation 671-0921
Fax 671-0927

School Department:
 Administration Building 436-9500
 Superintendent 436-9500
 Connecting all schools 436-9300
 Ditson Elementary School
 Dutile Elementary School
 Hajjar Elementary School
 Kennedy Elementary School
 Locke Middle School
 Marshall Middle School
 Memorial High School
 Parker Elementary School
 Vining Elementary School
Shawsheen Valley Tech 667-2111
Sealer of Weights and Measures .. 663-2828
Selectmen 671-0939
State Welfare Office
 Middle Street, Lowell 454-8061
Systems Administration 667-5204
Tax Collector
 Excise, Real Estate Bills 671-0920
Tobacco Control 671-1335
Town Accountant 671-0922
Town Clerk – Certificates/Licenses
 Dogs, Births, Deaths, Marriages, Unif. Comm.
 Code, Hunting Fishing, etc. 671-0924
Town Hall Custodian 671-0942
Town Manager 671-0942
Town Treasurer
 Parking Clerk, Tax Title,
 Water Bills 671-0928
Veteran's Services 671-0968
Utility Billing Administration 671-0954